

**EIGHTY-THIRD GENERAL ASSEMBLY
2010 REGULAR SESSION
DAILY
HOUSE CLIP SHEET**

FEBRUARY 10, 2010

HOUSE FILE 2197

H-8068

1 Amend House File 2197 as follows:

2 1. Page 1, by striking lines 3 through 15 and
3 inserting:

4 <1. An employer shall provide each employee who is
5 a veteran, as defined in section 35.1, with holiday
6 time off for Veterans Day, November 11, if the employee
7 would otherwise be required to work on that day, as
8 provided in this section.

9 2. An employer, in complying with this section,
10 shall have the discretion of providing paid or unpaid
11 time off on Veterans Day, an equivalent of eight hours
12 of additional compensation in lieu of paid time off on
13 Veterans Day, or paid or unpaid time off on a day other
14 than Veterans Day.

15 3. An employer shall provide the employer with
16 at least one month's prior written notice of the
17 employee's intent to take time off for Veterans Day
18 and shall also provide the employer with a federal
19 certificate of release or discharge from active duty,
20 or such similar federal document, for purposes of
21 determining the employee's eligibility for the benefit
22 provided in this section.>

By ZIRKELBACH of Jones

H-8068 FILED FEBRUARY 9, 2010

HOUSE FILE 2206

H-8063

1 Amend House File 2206 as follows:

2 1. Page 1, line 5, by striking <2015> and inserting
3 <2020>

4 2. Page 1, line 19, by striking <2015> and
5 inserting <2020>

6 3. Page 1, line 23, by striking <2015> and
7 inserting <2020>

COMMITTEE ON AGRICULTURE

MERTZ of Kossuth, Chairperson

H-8063 FILED FEBRUARY 9, 2010

HOUSE FILE 2321

H-8055

1 Amend House File 2321 as follows:
2 1. Page 1, line 3, before <The> by inserting <1.>
3 2. Page 1, line 3, after <facility> by inserting
4 <shall inquire whether the prisoner is a veteran, and
5 if so,>
6 3. Page 1, line 4, by striking <a> and inserting
7 <the>
8 4. Page 1, by striking lines 5 through 7 and
9 inserting <that the prisoner may be entitled to a
10 visit>
11 5. Page 1, line 9, by striking <twenty-four> and
12 inserting <seventy-two>
13 6. Page 1, lines 10 and 11, by striking <who has
14 been released from active duty within the previous five
15 years>
16 7. Page 1, after line 16 by inserting:
17 <2. As used in this section, "veteran" means a
18 person who was a member of the regular component of the
19 armed forces of the United States, national guard, or
20 reserves.>

By CHAMBERS of O'Brien

H-8055 FILED FEBRUARY 9, 2010

H-8053

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 31, after line 21 by inserting:

4 <DIVISION _____

5 IOWA COMMUNICATIONS NETWORK

6 Sec. _____. SALE OR LEASE OF IOWA COMMUNICATIONS
7 NETWORK. The Iowa telecommunications and technology
8 commission shall implement a request for proposals
9 process to sell or lease the Iowa communications
10 network. The request for proposals shall provide for
11 the sale to be concluded or the lease to commence
12 during the fiscal year beginning July 1, 2010. The
13 commission shall condition the sale or lease of the
14 Iowa communications network with terms that will allow
15 existing authorized users of the network to continue
16 such use at a lower overall long-term cost when
17 compared to the anticipated operation and maintenance
18 costs if state ownership and control were to continue.
19 The commission shall submit periodic status reports
20 to the general assembly at three-month intervals,
21 beginning on October 1, 2010, regarding progress made
22 toward selling or leasing the network.>

23 2. Page 33, after line 3 by inserting:

24 <Sec. _____. Section 68B.8, Code 2009, is amended by
25 adding the following new unnumbered paragraph:
26 NEW unnumbered PARAGRAPH A state agency of the
27 executive branch of state government shall not employ
28 a person through the use of its public funds whose
29 position with the agency is primarily representing the
30 agency relative to the passage, defeat, approval, or
31 modification of bills that are being considered by the
32 general assembly.>

33 3. Page 34, after line 21 by inserting:

34 <Sec. _____. OFFICE EXPENSES -- MANDATORY
35 REDUCTION. For the fiscal year beginning July 1,
36 2010, and ending June 30, 2011, the appropriations
37 from the general fund of the state to a state
38 department or state agency to which appropriations
39 are made pursuant to the 2010 Regular Session of the
40 Eighty-Third General Assembly are reduced by such
41 amount, as necessary to effect a 50 percent reduction
42 in the amount appropriated for expenditures for office
43 supplies, services contracts, and equipment purchases.
44 The reduction of the individual appropriations
45 shall be determined by the department of management
46 in consultation with the affected departments and
47 agencies on the basis of the expected expenditures
48 for such items by the affected state department or
49 agency for the fiscal year without the deduction
50 required by this section. The specific amount that

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1 each individual appropriation is reduced shall be
2 outlines in a memorandum prepared by the department
3 of management which shall be submitted to the general
4 assembly and legislative services agency within 30
5 days of the effective date of this section of this
6 Act. The reduction of an individual appropriation
7 pursuant to this section shall be in addition to
8 any other reduction required by law and general fund
9 appropriations reduced pursuant to this section shall
10 not be expended for any other purposes but shall be
11 retained in the general fund of the state.>

12 4. Page 44, after line 32 by inserting:

13 <Sec. _____. DEPARTMENT OF ADMINISTRATIVE SERVICES --
14 STATE-OWNED PASSENGER VEHICLES -- DISPOSITION AND SALE --
15 FLEET PRIVATIZATION.

16 1. Consistent with the requirements of section
17 8A.361, the department of administrative services shall
18 be the sole department authorized to operate a pool of
19 passenger vehicles located in Polk county for temporary
20 assignment to multiple drivers of a state department
21 or agency that is located within Polk county. By
22 September 30, 2010, all passenger vehicles located
23 in Polk county and designated for use by multiple
24 drivers that are assigned to a state department or
25 agency within Polk county on January 1, 2010, or later,
26 shall be returned to the department of administrative
27 services for use and disposition as provided by this
28 section.

29 2. On or before December 31, 2010, the department
30 of administrative services shall sell at auction
31 passenger vehicles returned to the department of
32 administrative services pursuant to subsection 1
33 and passenger vehicles otherwise under the control
34 of the department for use by multiple drivers of
35 state departments or agencies within Polk county.
36 Notwithstanding the provisions of section 8A.364 to the
37 contrary, proceeds from the sale of motor vehicles as
38 provided by this subsection shall be credited to the
39 fund from which the motor vehicles were purchased.

40 3. On or before December 31, 2010, the department
41 of administrative services shall implement a request
42 for proposal process and shall enter into a contract
43 for the purposes of outsourcing state vehicle leasing
44 to a private entity.

45 4. For purposes of this section, "passenger
46 vehicles" means United States environmental protection
47 agency designated compact sedans, compact wagons,
48 midsize sedans, midsize wagons, full-size sedans,
49 and passenger minivans. "Passenger vehicles" does
50 not mean utility vehicles, vans other than passenger

1 minivans, fire trucks, ambulances, motor homes, buses,
2 medium-duty and heavy-duty trucks, heavy construction
3 equipment, and other highway maintenance vehicles,
4 vehicles assigned for law enforcement purposes, and
5 any other classes of vehicles of limited application
6 approved by the director of the department of
7 administrative services.>

8 5. Page 112, after line 5 by inserting:

9 <DIVISION ____
10 REBUILD IOWA OFFICE

11 Sec. _____. Section 16.191, subsection 2, paragraph
12 e, Code Supplement 2009, is amended to read as follows:

13 e. The executive director of the rebuild Iowa
14 ~~office or the director's designee until June 30, 2011,~~
15 ~~and then the~~ administrator of the homeland security
16 and emergency management division of the department of
17 public defense or the administrator's designee.

18 Sec. _____. Section 103A.8C, subsection 1, Code
19 Supplement 2009, is amended to read as follows:

20 1. The commissioner, after consulting with
21 and receiving recommendations from the department
22 of public defense, and the department of natural
23 ~~resources, and the rebuild Iowa office,~~ shall adopt
24 rules pursuant to chapter 17A specifying standards and
25 requirements for design and construction of safe rooms
26 and storm shelters. In developing these standards,
27 the commissioner shall consider nationally recognized
28 standards. The standards and requirements shall be
29 incorporated into the state building code established
30 in section 103A.7, but shall not be interpreted
31 to require the inclusion of a safe room or storm
32 shelter in a building construction project unless such
33 inclusion is expressly required by another statute
34 or by a federal statute or regulation. However,
35 if a safe room or storm shelter is included in any
36 building construction project which reaches the
37 design development phase on or after January 1, 2011,
38 compliance with the standards developed pursuant to
39 this section shall be required.

40 Sec. _____. Section 466B.3, subsection 4, paragraph
41 n, Code Supplement 2009, is amended by striking the
42 paragraph.

43 Sec. _____. 2009 Iowa Acts, chapter 169, section 10,
44 subsection 6, is amended to read as follows:

45 6. a. This section is repealed June 30, 2011.

46 b. On July 1, 2010, the rebuild Iowa office shall
47 cease functioning and dissolve, and the homeland
48 security and emergency management division of the
49 department of public defense shall assume all duties of
50 the rebuild Iowa office designated in this section.

1 Sec. _____. 2009 Iowa Acts, chapter 181, section 25,
2 is amended to read as follows:

3 SEC. 25. REBUILD IOWA OFFICE. There is
4 appropriated from the general fund of the state to
5 the rebuild Iowa office for the fiscal year beginning
6 July 1, 2009, and ending June 30, 2010, the following
7 amount, or so much thereof as is necessary, to be used
8 for the purposes designated:

9 For salaries, support, maintenance, miscellaneous
10 purposes, and for not more than the following full-time
11 equivalent positions:

12	\$	198,277
13	FTEs	12.00

14 It is the intent of the general assembly that,
15 pursuant to 2009 Iowa Acts, chapter 169, House File
16 64, as amended by this 2010 Iowa Act, the rebuild
17 Iowa office shall ~~be repealed~~ cease functioning and
18 dissolve effective June 30, 2011 July 1, 2010, and
19 shall not receive an appropriation from the general
20 fund of the state after that date.>

21 6. Page 161, after line 5 by inserting:

22 <DIVISION _____
23 OFFICE OF ENERGY INDEPENDENCE AND IOWA POWER FUND

24 Sec. _____. Section 7E.5, subsection 1, paragraph q,
25 Code Supplement 2009, is amended to read as follows:

26 q. The department of natural resources, created in
27 section 455A.2, which has primary responsibility for
28 state parks and forests, protecting the environment,
29 and managing energy, fish, wildlife, and land and water
30 resources.

31 Sec. _____. Section 11.5B, subsection 15, Code 2009,
32 is amended by striking the subsection.

33 Sec. _____. Section 15H.6, subsection 1, Code
34 Supplement 2009, is amended to read as follows:

35 1. The Iowa commission on volunteer service, in
36 collaboration with the department of natural resources,
37 the department of workforce development, ~~the office~~
38 ~~of energy independence~~, and the utilities board of
39 the department of commerce, shall establish an Iowa
40 green corps program. The commission shall work with
41 the collaborating agencies and nonprofit agencies
42 in developing a strategy for attracting additional
43 financial resources for the program from other sources
44 which may include but are not limited to utilities,
45 private sector, and local, state, and federal
46 government funding sources. The financial resources
47 received shall be credited to the community programs
48 account created pursuant to section 15H.5.

49 Sec. _____. Section 22.7, subsection 60, Code
50 Supplement 2009, is amended by striking the subsection.

1 Sec. _____. Section 103A.8B, Code 2009, is amended to
2 read as follows:

3 103A.8B Sustainable design or green building
4 standards.

5 The commissioner, after consulting with and
6 receiving recommendations from the department
7 of natural resources ~~and the office of energy~~
8 ~~independence~~, shall adopt rules pursuant to chapter 17A
9 specifying standards and requirements for sustainable
10 design and construction based upon or incorporating
11 nationally recognized ratings, certifications, or
12 classification systems, and procedures relating
13 to documentation of compliance. The standards and
14 requirements shall be incorporated into the state
15 building code established in section 103A.7, but
16 in lieu of general applicability shall apply to
17 construction projects only if such applicability is
18 expressly authorized by statute, or as established by
19 another state agency by rule.

20 Sec. _____. Section 268.6, subsection 2, Code
21 Supplement 2009, is amended to read as follows:

22 2. The university is encouraged to cooperate with
23 agricultural and energy efficiency advocates and
24 governmental entities in administering the program,
25 ~~including the office of energy independence established~~
26 ~~pursuant to section 469.2.~~

27 Sec. _____. Section 455A.2, Code Supplement 2009, is
28 amended to read as follows:

29 455A.2 Department of natural resources.

30 A department of natural resources is created, which
31 has the primary responsibility for state parks and
32 forests, protecting the environment, and managing
33 energy, fish, wildlife, and land and water resources in
34 this state.

35 Sec. _____. Section 455B.851, subsection 2, paragraph
36 a, subparagraph (17), Code 2009, is amended by striking
37 the subparagraph.

38 Sec. _____. Section 470.1, Code Supplement 2009, is
39 amended by adding the following new subsection:

40 NEW SUBSECTION. 1A. "Department" means the
41 department of natural resources.

42 Sec. _____. Section 470.1, subsection 2, Code
43 Supplement 2009, is amended to read as follows:

44 2. "Director" means the director of the ~~office of~~
45 ~~energy independence~~ department of natural resources.

46 Sec. _____. Section 470.1, subsection 8, Code
47 Supplement 2009, is amended by striking the subsection.

48 Sec. _____. Section 473.1, Code Supplement 2009, is
49 amended by adding the following new subsection:

50 NEW SUBSECTION. 2A. "Department" means the

1 department of natural resources.

2 Sec. _____. Section 473.1, subsection 3, Code

3 Supplement 2009, is amended to read as follows:

4 3. "Director" means the director of the

5 ~~office~~ department or a designee.

6 Sec. _____. Section 473.1, subsection 5, Code

7 Supplement 2009, is amended by striking the subsection.

8 Sec. _____. REPEAL. Sections 469.1, 469.2, 469.5,

9 469.7, and 469.8, Code 2009, are repealed.

10 Sec. _____. REPEAL. Sections 469.3, 469.4, 469.6,

11 469.9, 469.10, and 469.11, Code Supplement 2009, are

12 repealed.

13 Sec. _____. CODE EDITOR DIRECTIVE.

14 1. The Code editor is directed to change the

15 words "office of energy independence" to "department

16 of natural resources" in Code sections 7D.34, 7D.35,

17 8A.362, 72.5, 103A.8, 103A.27, 159A.3, 159A.4, 159A.6B,

18 266.39C, 272C.2, 279.44, 323A.2, 441.21, 476.6, and

19 476.63.

20 2. The Code editor is directed to change the word

21 "office" to "department" in Code sections 470.3, 470.7,

22 473.7, 473.8, 473.10, 473.13A, 473.15, 473.19, 473.19A,

23 473.20, 473.20A, and 473.41.

24 Sec. _____. TRANSITION PROVISIONS -- CONTINUATION OF

25 GRANTS.

26 1. Any moneys remaining in any account or fund

27 under the control of the office of energy independence

28 on the effective date of this division of this Act

29 relative to the provisions of this division of this

30 Act shall be transferred to a comparable fund or

31 account under the control of the department of natural

32 resources for such purposes. Notwithstanding section

33 8.33, the moneys transferred in accordance with this

34 subsection shall not revert to the account or fund from

35 which appropriated or transferred.

36 2. Any license, permit, or contract issued or

37 entered into by the office of energy independence

38 relative to the provisions of this division of this

39 Act in effect on the effective date of this division

40 of this Act shall continue in full force and effect

41 pending transfer of such licenses, permits, or

42 contracts to the department of natural resources.

43 3. Grants or loans awarded from the Iowa power

44 fund pursuant to section 469.9 prior to the effective

45 date of this division of this Act shall continue as

46 provided by the terms of the grants or loans and shall

47 be administered by the department of natural resources.

48 4. Federal funds utilized by the director of the

49 office of energy independence prior to the effective

50 date of this division of this Act to employ personnel

1 necessary to administer the provisions of this division
2 of this Act shall be applicable to the transfer of such
3 personnel from the office of energy independence to the
4 department of natural resources.

5 Sec. _____. TRANSITION PROVISIONS -- EMERGENCY
6 RULEMAKING. Not later than July 1, 2010, the
7 department of natural resources shall adopt
8 administrative rules previously adopted by the office
9 of energy independence relative to the provisions of
10 this division of this Act in existence on the effective
11 date of this division of this Act by emergency
12 rulemaking pursuant to section 17A.4, subsection 3,
13 and section 17A.5, subsection 2, paragraph "b". The
14 rules shall be effective immediately upon filing unless
15 a later date is specified in the rules. Any rules
16 adopted in accordance with this section shall also be
17 published as a notice of intended action as provided
18 in section 17A.4. Any rule, regulation, form, order,
19 or directive promulgated by the office relative to the
20 provisions of this division of this Act shall continue
21 in full force and effect until such emergency rules are
22 adopted.

23 Sec. _____. EFFECTIVE UPON ENACTMENT. The section
24 of this division of this Act providing for emergency
25 rulemaking, being deemed of immediate importance, takes
26 effect upon enactment.>

27 7. Page 166, before line 25 by inserting:

28 <DIVISION ____
29 CORE CURRICULUM

30 Sec. _____. Section 280.3, subsection 3, paragraphs a
31 and b, Code 2009, are amended to read as follows:

32 a. Adopt an implementation plan by July 1,
33 ~~2010~~ 2011, which provides for the adoption of at
34 least one core curriculum subject area each year
35 as established by the state board of education for
36 grades nine through twelve pursuant to section 256.7,
37 subsection 26. The core curriculum established for
38 grades nine through twelve by the state board of
39 education pursuant to section 256.7, subsection 26,
40 shall be fully implemented by each school district and
41 school by July 1, ~~2012~~ 2013.

42 b. Adopt an implementation plan, by July 1,
43 ~~2012~~ 2013, which provides for the full implementation
44 of the core curriculum established for kindergarten
45 through grade eight by the state board of education
46 pursuant to section 256.7, subsection 26, by the
47 ~~2014-2015~~ 2015-2016 school year.

48 Sec. _____. CORE CURRICULUM APPROPRIATION FOR FISCAL
49 YEAR 2010-2011. State funds shall not be appropriated
50 or allocated to, or used by, the department of

1 education for the fiscal year beginning July 1, 2010,
2 and ending June 30, 2011, for purposes of developing or
3 implementing the core curriculum established pursuant
4 to section 256.7, subsection 26.

5 Sec. _____. PROFESSIONAL DEVELOPMENT FOR CORE
6 CURRICULUM INFUSION AND IMPLEMENTATION -- REDUCTION IN
7 STATE AID PAYMENT. Notwithstanding section 257.10,
8 subsection 10, paragraph "a" and section 257.37A,
9 subsection 1, paragraph "a", for the fiscal year
10 beginning July 1, 2010, the professional development
11 allocation made to a school district or area education
12 agency pursuant to section 257.10, subsection 10,
13 paragraph "a", or section 257.37A, subsection 1,
14 paragraph "a", shall be reduced by the proportion of
15 the professional development allocation designated
16 for model core curriculum made in the fiscal year
17 beginning July 1, 2008, and specified in section
18 284.13, subsection 1, paragraph "d", subparagraph (1),
19 as enacted by 2008 Iowa Acts, chapter 1181, subsection
20 83, to the total professional development allocation
21 made in the fiscal year beginning July 1, 2008,
22 pursuant to section 284.13, subsection 1, paragraph
23 "d", subparagraph (1), as enacted by 2008 Iowa Acts,
24 chapter 1181, subsection 83.>

25 8. Page 166, before line 25 by inserting:

26 <DIVISION ____
27 CORE CURRICULUM

28 Sec. _____. Section 280.3, subsection 3, paragraphs a
29 and b, Code 2009, are amended to read as follows:

30 a. Adopt an implementation plan by July 1,
31 ~~2010~~ 2011, which provides for the adoption of at
32 least one core curriculum subject area each year
33 as established by the state board of education for
34 grades nine through twelve pursuant to section 256.7,
35 subsection 26. The core curriculum established for
36 grades nine through twelve by the state board of
37 education pursuant to section 256.7, subsection 26,
38 shall be fully implemented by each school district and
39 school by July 1, ~~2012~~ 2013.

40 b. Adopt an implementation plan, by July 1,
41 ~~2012~~ 2013, which provides for the full implementation
42 of the core curriculum established for kindergarten
43 through grade eight by the state board of education
44 pursuant to section 256.7, subsection 26, by the
45 ~~2014-2015~~ 2015-2016 school year.>

46 9. Page 166, before line 25 by inserting:

47 <DIVISION ____
48 STATEWIDE PRESCHOOL PROGRAM FOR FOUR-YEAR-OLD CHILDREN
49 REPEAL

50 Sec. _____. Section 237A.21, subsection 3, paragraph

1 p, Code 2009, is amended by striking the paragraph.

2 Sec. _____. Section 256.11, subsection 1, paragraph
3 c, Code 2009, is amended by striking the paragraph.

4 Sec. _____. Section 256A.3, subsection 9, Code 2009,
5 is amended by striking the subsection.

6 Sec. _____. Section 257.16, subsection 1, Code 2009,
7 is amended to read as follows:

8 1. There is appropriated each year from the
9 general fund of the state an amount necessary to pay
10 the foundation aid under this chapter, ~~the preschool~~
11 ~~foundation aid under chapter 256C~~, supplementary
12 aid under section 257.4, subsection 2, and adjusted
13 additional property tax levy aid under section 257.15,
14 subsection 4.

15 Sec. _____. Section 272.2, subsection 18, Code
16 Supplement 2009, is amended to read as follows:

17 18. May adopt rules for practitioners who are not
18 eligible for a statement of professional recognition
19 under subsection 10, but have received a baccalaureate
20 degree and provide a service to students at any or all
21 levels from prekindergarten through grade twelve for a
22 school district, accredited nonpublic school, or area
23 education agency, ~~or preschool program established~~
24 ~~pursuant to chapter 256C~~.

25 Sec. _____. Section 285.1, subsection 1, paragraph
26 a, subparagraph (3), Code Supplement 2009, is amended
27 to read as follows:

28 (3) Children attending prekindergarten programs
29 offered or sponsored by the district or nonpublic
30 school and approved by the department of education or
31 department of human services ~~or children participating~~
32 ~~in preschool in an approved local program under chapter~~
33 ~~256C~~ may be provided transportation services. However,
34 transportation services provided to nonpublic school
35 children are not eligible for reimbursement under this
36 chapter.

37 Sec. _____. STATEWIDE PRESCHOOL FUNDING TO SCHOOL
38 READY CHILDREN PROGRAM.

39 1. There is appropriated from the general fund
40 of the state to the department of education for the
41 fiscal year beginning July 1, 2010, and ending June 30,
42 2011, the following amount, or so much thereof as is
43 necessary, to be used for the purposes designated:

44 For deposit in the school ready children grants
45 account of the Iowa empowerment fund created in section
46 28.9:

47 \$ 27,000,000

48 If an enactment in this Act or another Act repeals
49 the Iowa empowerment fund and creates a school ready
50 children account in the early childhood Iowa fund or in

1 another fund, the appropriation made in this section
2 shall be credited to such account and used in addition
3 to other appropriations for the school ready children
4 grant program in order to expand services under the
5 program to additional four-year-old children.

6 2. The appropriation made in this section replaces
7 a portion of the funding that would have otherwise
8 been appropriated for the statewide preschool program
9 for four-year-old children but for the repeal of that
10 program in accordance with this division of this Act.
11 It is the intent of the general assembly to continue
12 the supplemental funding provided in this section in
13 succeeding fiscal years.

14 Sec. _____. REPEAL. Sections 256C.1, 256C.2, 256C.3,
15 256C.4, 256C.5, 256C.6, and 279.51, Code 2009, are
16 repealed.>

17 10. Page 198, after line 24 by inserting:

18 <DIVISION _____
19 REGENTS INSTITUTIONS

20 Sec. _____. Section 262.12, Code 2009, is amended to
21 read as follows:

22 262.12 Committees and administrative offices under
23 board.

24 1. The state board of regents shall ~~also~~ have and
25 exercise all the powers necessary and convenient for
26 the effective administration of its office and of the
27 institutions under its control, and to this end may
28 create such committees, offices, and agencies from its
29 own members or others, and employ ~~persons to staff the~~
30 ~~same~~, fix their staff compensation and tenure, and
31 delegate ~~thereto, to staff~~ or to the administrative
32 officers and faculty of the institutions under its
33 control, such part of the authority and duties vested
34 by statute in the state board, and shall formulate
35 and establish such rules, outline such policies, and
36 prescribe such procedures ~~therefor, all~~ as may be
37 desired or determined by the state board as recorded
38 in ~~their~~ its minutes.

39 2. Notwithstanding subsection 1, the state board of
40 regents shall consolidate into one system all of the
41 operational functions of the institutions of higher
42 education the board governs, including but not limited
43 to communication and information technology, personnel
44 and fiscal management systems, and legal services.
45 This single system shall be administered by the state
46 board and shall provide services uniformly to all
47 of the institutions of higher education governed by
48 the state board. An institution of higher education
49 governed by the state board shall not administer any of
50 these operational services independently, and shall not

1 procure operational services from any entity unless the
2 system administered by the state board does not offer
3 substantially the same service.

4 Sec. _____. REGENTS UNIVERSITY LEAVE LIMITATION --
5 FISCAL YEAR 2011-2012. For the fiscal year beginning
6 July 1, 2011, and ending June 30, 2012, the state board
7 of regents shall limit the number of leaves of absence
8 granted to faculty members employed by an institution
9 pursuant to section 262.9, subsection 14, to not more
10 than the equivalent of 3.7 percent of the faculty
11 members employed by the institution on September 1,
12 2010.

13 Sec. _____. REGENTS INSTITUTIONS. The amounts
14 appropriated from the general fund of the state to
15 the state board of regents for the state university
16 of Iowa, the Iowa state university of science and
17 technology, and the university of northern Iowa, by any
18 legislation enacted during the 2010 Regular Session of
19 the Eighty-Third General Assembly, for the fiscal year
20 beginning July 1, 2010, and ending June 30, 2011, are
21 reduced by the following amount:
22 \$ 62,000,000

23 The state board of regents shall apply the reduction
24 made in this section to the appropriations made to
25 the indicated institutions in a manner so that an
26 institution's appropriation is reduced in proportion
27 to the amount the institution's appropriation in 2009
28 Iowa Acts, chapter 177, section 10, bears to the
29 total amount appropriated in that section to all three
30 institutions.>

31 11. Page 247, after line 22 by inserting:

32 <DIVISION ____
33 DEPARTMENT OF PUBLIC HEALTH -- TOBACCO
34 USE PREVENTION AND CONTROL

35 Sec. _____. YOUTH PROGRAM COMPONENT -- COMMUNITY
36 PARTNERSHIPS -- TOBACCO USE PREVENTION AND CONTROL --
37 FISCAL YEAR 2010-2011. For the fiscal year beginning
38 July 1, 2010, the department of public health's
39 contracts with community partnership areas relating
40 to the tobacco use prevention and control initiative
41 established pursuant to chapter 142A shall no longer
42 allow state payment for the youth program component.

43 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
44 of this Act, being deemed of immediate importance,
45 takes effect upon enactment.>

46 12. Page 249, after line 11 by inserting:

47 <DIVISION ____
48 SHELTER CARE

49 Sec. _____. SHELTER CARE CONTRACTS -- FY
50 2010-2011. For the fiscal year beginning July 1, 2010,

1 the shelter care provider contracts with the department
2 of human services applicable to that fiscal year shall
3 no longer allow state payment for guaranteed shelter
4 beds in order for such payment to be provided only for
5 beds that are actually used during the fiscal year.

6 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
7 of this Act, being deemed of immediate importance,
8 takes effect upon enactment.>

9 13. Page 249, after line 11 by inserting:

10 <DIVISION ____
11 DEPARTMENT OF HUMAN SERVICES -- FAMILY PLANNING WAIVER
12 Sec. _____. MEDICAL ASSISTANCE FAMILY PLANNING WAIVER --
13 FY2010-2011. For the fiscal year beginning July 1,
14 2010, the department of human services shall no longer
15 allow payment for the state share under the medical
16 assistance Iowa family planning network waiver.
17 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
18 of this Act, being deemed of immediate importance,
19 takes effect upon enactment.>

20 14. Page 249, after line 11 by inserting:

21 <DIVISION ____
22 PUBLIC BENEFITS FOR UNAUTHORIZED ALIENS
23 Sec. _____. NEW SECTION. 234.15 Citizenship
24 verification program -- public benefits.
25 1. Except as provided in subsection 3 or where
26 exempted by federal law, every state agency and
27 political subdivision shall verify the lawful presence
28 in the United States of any natural person eighteen
29 years of age or older who has applied for state
30 or local public benefits, as defined in 8 U.S.C. {
31 1621, or for federal public benefits, as defined in 8
32 U.S.C. { 1611, that are administered by an agency or a
33 political subdivision of this state.
34 2. The provisions of this section shall be enforced
35 without regard to race, religion, gender, ethnicity,
36 or national origin.
37 3. Verification of a person's lawful presence in
38 the United States under the provisions of this section
39 shall not be required for the following:
40 a. For any purpose for which lawful presence in the
41 United States is not restricted by law.
42 b. For assistance for health care items and
43 services that are necessary for the treatment of an
44 emergency medical condition, as defined in 42 U.S.C. {
45 1396b(v)(3), of the unauthorized alien involved and are
46 not related to an organ transplant procedure.
47 c. For short-term, noncash, in-kind emergency
48 disaster relief.
49 d. For public health assistance for immunizations
50 with respect to diseases and for testing and treatment

1 of symptoms of communicable diseases whether or not
2 such symptoms are caused by a communicable disease.

3 e. For programs, services, or assistance such as
4 soup kitchens, crisis counseling and intervention,
5 and short-term shelter specified by the United
6 States attorney general, in the sole and unreviewable
7 discretion of the United States attorney general after
8 consultation with appropriate federal agencies and
9 departments, which:

10 (1) Deliver in-kind services at the community
11 level, including through public or private nonprofit
12 agencies.

13 (2) Do not condition the provision of assistance,
14 the amount of assistance provided, or the cost of
15 assistance provided on the income or resources of the
16 individual recipient.

17 (3) Are necessary for the protection of life or
18 safety.

19 f. For prenatal care.

20 4. To verify a natural person's lawful presence in
21 the United States in order to receive benefits, the
22 agency or political subdivision required to make such
23 verification shall require that the applicant execute
24 an affidavit under penalty of perjury that makes one of
25 the following assertions:

26 a. The applicant is a United States citizen.

27 b. The applicant is a qualified alien under the
28 federal Immigration and Nationality Act, and is
29 lawfully present in the United States.

30 5. For any applicant who has executed the affidavit
31 described in subsection 4, paragraph "b", eligibility
32 for benefits shall be verified through the federal
33 systematic alien verification for entitlement program
34 operated by the United States department of homeland
35 security or a successor program designated by the
36 United States department of homeland security.
37 Until such eligibility verification is completed,
38 the affidavit may be presumed to be proof of lawful
39 presence for the purposes of this section.

40 6. a. A person who knowingly and willfully
41 makes a false, fictitious, or fraudulent statement
42 of representation in an affidavit executed pursuant
43 to subsection 4 is guilty of a fraudulent practice
44 pursuant to section 714.8, subsection 3.

45 b. If the affidavit constitutes a false claim of
46 United States citizenship under 18 U.S.C. { 911, a
47 complaint shall be filed by the agency requiring the
48 affidavit with the appropriate Iowa district of the
49 United States attorney's office.

50 7. An agency or political subdivision of this

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1 state may adopt variations to the requirements of this
2 section which demonstrably improve the efficiency or
3 reduce delay in the verification process, or to provide
4 for adjudication of unique individual circumstances
5 where the verification procedures in this section would
6 impose unusual hardship on a legal resident of Iowa.

7 8. An agency or political subdivision of this state
8 shall not provide any state, local, or federal benefit,
9 as defined in 8 U.S.C. { 1621 or 8 U.S.C. { 1611, in
10 violation of the provisions of this section.

11 9. Each state agency or department which
12 administers any program of state or local public
13 benefits shall provide an annual report to the
14 secretary of state with respect to its compliance with
15 the provisions of this section. Any and all errors
16 shall be reported to the United States department of
17 homeland security by the secretary of state. The
18 secretary of state shall monitor the federal systematic
19 alien verification for entitlement program and its
20 verification application errors and significant delays
21 and shall issue an annual report to the governor and
22 the general assembly on such errors and significant
23 delays, and recommendations to ensure that the
24 application of the systematic alien verification of
25 entitlement program is not erroneously denying benefits
26 to legal residents of Iowa.>

27 15. By renumbering as necessary.

By RANTS of Woodbury

H-8053 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8054

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 168, line 4, by striking <the the> and
4 inserting <the>

5 2. Page 175, line 1, by striking <center> and
6 inserting <bureau>

7 3. Page 182, line 8, after <district> by inserting
8 <or early childhood Iowa area>

9 4. Page 182, line 9, after <district> by inserting
10 <or early childhood Iowa area>

By WINCKLER of Scott

WENDT of Woodbury

H-8054 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8056

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 251, after line 10 by inserting:

4 <DIVISION _____
5 INTERACTIVE VIDEO
6 TELECONFERENCING -- INVOLUNTARY
7 COMMITMENT HEARINGS

8 Sec. _____. Section 125.82, subsection 4, Code 2009,
9 is amended to read as follows:

10 4. The respondent's welfare is paramount, and the
11 hearing shall be tried as a civil matter and conducted
12 in as informal a manner as is consistent with orderly
13 procedure, which may include the use of an interactive
14 video teleconferencing system consistent with standards
15 adopted by rule by the supreme court. Discovery as
16 permitted under the Iowa rules of civil procedure is
17 available to the respondent. The court shall receive
18 all relevant and material evidence, but the court is
19 not bound by the rules of evidence. A presumption
20 in favor of the respondent exists, and the burden of
21 evidence and support of the contentions made in the
22 application shall be upon the person who filed the
23 application. If upon completion of the hearing the
24 court finds that the contention that the respondent is
25 a chronic substance abuser has not been sustained by
26 clear and convincing evidence, the court shall deny the
27 application and terminate the proceeding.

28 Sec. _____. Section 229.12, subsection 3, paragraph
29 a, Code Supplement 2009, is amended to read as follows:

30 a. The respondent's welfare shall be paramount
31 and the hearing shall be tried as a civil matter
32 and conducted in as informal a manner as may be
33 consistent with orderly procedure, ~~but consistent~~
34 ~~therewith the issue shall be tried as a civil~~
35 ~~matter~~ which may include the use of an interactive
36 video teleconferencing system consistent with standards
37 adopted by rule by the supreme court. Such discovery
38 as is permitted under the Iowa rules of civil procedure
39 shall be available to the respondent. The court shall
40 receive all relevant and material evidence which may
41 be offered and need not be bound by the rules of
42 evidence. There shall be a presumption in favor of the
43 respondent, and the burden of evidence in support of
44 the contentions made in the application shall be upon
45 the applicant.>

By VAN ENGELNHOVEN of Marion

H-8056 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8057

- 1 Amend Senate File 2088, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 36, line 20, after ~~<services>~~ by inserting
- 4 <or peace officers of the state patrol as established
- 5 in section 80.9>
- 6 2. By renumbering as necessary.

By RAECKER of Polk

H-8057 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8058

- 1 Amend Senate File 2088, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 212, line 30, through page 213,
- 4 line 5.
- 5 2. By renumbering as necessary.

By RAECKER of Polk

H-8058 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8059

- 1 Amend Senate File 2088, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 36, line 18, by striking <not> and
- 4 inserting ~~<not>~~
- 5 2. By striking page 37, line 4, through page 38,
- 6 line 4.
- 7 3. By renumbering as necessary.

By KAUFMANN of Cedar

H-8059 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8060

- 1 Amend the amendment, H-8045, to Senate File 2088,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. By striking page 7, line 42, through page 8,
- 5 line 9.
- 6 2. By renumbering as necessary.

By RANTS of Woodbury
STRUYK of Pottawattamie

H-8060 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8061

1 Amend the amendment, H-8045, to Senate File 2088,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 29, by striking lines 10 through 21.
- 5 2. By renumbering as necessary.

By RANTS of Woodbury

H-8061 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8062

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 44, after line 3 by inserting:

4 <DIVISION ____

5 ETHICS AND CAMPAIGN DISCLOSURE

6 BOARD -- CIVIL PENALTIES

7 Sec. ____ . Section 68A.401, subsection 3, Code
8 Supplement 2009, is amended to read as follows:

9 3. The candidate of a candidate's committee, or
10 the chairperson of any other committee, is responsible
11 for filing statements and reports under this chapter.
12 The board shall send notice to a committee that has
13 failed to file a disclosure report at the time required
14 under section 68A.402. A Notwithstanding section
15 68B.32D, subsection 1, paragraph "h", a candidate of
16 a candidate's committee, or the chairperson of any
17 other committee, may be subject to a civil penalty
18 of not more than ten thousand dollars for failure to
19 timely file a disclosure report required under section
20 68A.402.>

- 21 2. By renumbering as necessary.

By RANTS of Woodbury

H-8062 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8064

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 165, by striking lines 18 through 22.
- 4 2. By striking page 166, line 25, through page 198,
- 5 line 6.
- 6 3. By renumbering as necessary.

By TYMESON of Madison

H-8064 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8065

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 38, line 19, after <agencies> by inserting
4 <authorized to purchase goods and services>
5 2. Page 38, line 29, after <agencies> by inserting
6 <authorized to purchase goods and services>
7 3. Page 39, line 10, after <agency> by inserting
8 <authorized to purchase goods and services>
9 4. Page 39, line 22, after <improvements> by
10 inserting <, and shall seek input from the department
11 of administrative services and the chief information
12 officer of the state regarding specific areas of
13 potential cooperation between the institutions
14 under the control of the board and the department of
15 administrative services>
16 5. Page 39, line 26, after <agency> by inserting
17 <authorized to purchase goods and services>
18 6. Page 39, line 29, by striking <July 1,> and
19 inserting <July 1>

By MASCHER of Johnson

H-8065 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8066

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 198, after line 24 by inserting:

4 <DIVISION _____

5 LIBRARY SERVICE AREAS

6 Sec. _____. Section 8A.454, subsection 2, Code
7 Supplement 2009, is amended to read as follows:

8 2. A monthly per contract administrative charge
9 shall be assessed by the department on all health
10 insurance plans administered by the department in which
11 the contract holder has a state employer to pay the
12 charge. The amount of the administrative charge shall
13 be established by the general assembly. The department
14 shall collect the administrative charge from each
15 department utilizing the centralized payroll system and
16 shall deposit the proceeds in the fund. In addition,
17 the state board of regents, ~~all library service~~
18 ~~areas~~, the state fair board, the state department of
19 transportation, and each judicial district department
20 of correctional services shall remit the administrative
21 charge on a monthly basis to the department and shall
22 submit a report to the department containing the number
23 and type of health insurance contracts held by each of
24 its employees whose health insurance is administered by
25 the department.

26 Sec. _____. Section 8D.2, subsection 5, paragraph a,
27 Code 2009, is amended to read as follows:

28 a. "Public agency" means a state agency, an
29 institution under the control of the board of regents,
30 the judicial branch as provided in section 8D.13,
31 subsection 17, a school corporation, a city library,
32 ~~a library service area as provided in chapter 256~~, a
33 county library as provided in chapter 336, or a
34 judicial district department of correctional services
35 established in section 905.2, to the extent provided in
36 section 8D.13, subsection 15, an agency of the federal
37 government, or a United States post office which
38 receives a federal grant for pilot and demonstration
39 projects.

40 Sec. _____. Section 8D.9, subsection 1, Code 2009, is
41 amended to read as follows:

42 1. A private or public agency, other than a state
43 agency, local school district or nonpublic school, city
44 library, ~~library service area~~, county library, judicial
45 branch, judicial district department of correctional
46 services, agency of the federal government, a hospital
47 or physician clinic, or a post office authorized to be
48 offered access pursuant to this chapter as of May 18,
49 1994, shall certify to the commission no later than
50 July 1, 1994, that the agency is a part of or intends

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1 to become a part of the network. Upon receiving such
2 certification from an agency not a part of the network
3 on May 18, 1994, the commission shall provide for the
4 connection of such agency as soon as practical. An
5 agency which does not certify to the commission that
6 the agency is a part of or intends to become a part of
7 the network as required by this subsection shall be
8 prohibited from using the network.

9 Sec. _____. Section 8D.11, subsection 4, Code 2009,
10 is amended to read as follows:

11 4. A political subdivision receiving communications
12 services from the state as of April 1, 1986, may
13 continue to do so but communications services shall
14 not be provided or resold to additional political
15 subdivisions other than a school corporation, a city
16 library, ~~a library service area as provided in chapter~~
17 ~~256,~~ and a county library as provided in chapter 336.
18 The rates charged to the political subdivision shall be
19 the same as the rates charged to state agencies.

20 Sec. _____. Section 256.51, subsection 1, paragraphs
21 a, d, and j, Code 2009, are amended to read as follows:

22 a. Determine policy for providing information
23 service to the three branches of state government and
24 to the legal and medical ~~communities~~ community in this
25 state.

26 d. ~~Develop, in consultation with the library~~
27 ~~service areas and the area education agency media~~
28 ~~centers,~~ a biennial unified plan of service and service
29 delivery for the division of libraries and information
30 services.

31 j. Establish and administer standards for state
32 agency libraries, ~~the library service areas,~~ and public
33 libraries.

34 Sec. _____. Section 256.51, subsection 1, Code 2009,
35 is amended by adding the following new paragraph:

36 NEW PARAGRAPH. k. Provide supporting services to
37 libraries, including but not limited to consulting,
38 continuing education, and interlibrary loan and
39 references services to assure consistency of service
40 statewide and to encourage local financial support for
41 library services.

42 Sec. _____. Section 256.52, subsection 1, Code 2009,
43 is amended to read as follows:

44 1. The state commission of libraries consists of
45 one member appointed by the supreme court, the director
46 of the department of education, or the director's
47 designee, and six members appointed by the governor to
48 serve four-year terms beginning and ending as provided
49 in section 69.19. ~~Of the~~ The governor's appointees,
50 ~~one member~~ shall be ~~from the medical profession and~~

1 ~~five members~~ selected at large. ~~Not more than three of~~
2 ~~the members appointed by the governor shall be of the~~
3 ~~same gender.~~ The members shall be reimbursed for their
4 actual expenditures necessitated by their official
5 duties. Members may also be eligible for compensation
6 as provided in section 7E.6.

7 Sec. _____. Section 256.52, subsection 3, paragraph
8 d, Code 2009, is amended to read as follows:

9 d. Appoint and approve the technical, professional,
10 excepting the ~~medical librarian and the~~ law librarian,
11 secretarial, and clerical staff necessary to accomplish
12 the purposes of the division subject to chapter 8A,
13 subchapter IV.

14 Sec. _____. Section 256.52, subsection 3, Code 2009,
15 is amended by adding the following new paragraph:

16 NEW PARAGRAPH. Oe. Assume all of the outstanding
17 obligations of the library service areas and be liable
18 for and recognize, assume, and carry out all valid
19 contracts and obligations of the library service
20 areas that are consolidated under the commission
21 and administered by the division of libraries and
22 information services effective beginning July 1, 2010.
23 Each library service area shall transfer, prior to
24 July 1, 2010, its state-funded assets and title to any
25 state-funded real estate owned by the library service
26 area to the commission.

27 Sec. _____. Section 256.54, unnumbered paragraph 1,
28 Code 2009, is amended to read as follows:

29 The state library includes, but is not limited to,
30 ~~a medical library,~~ a law library, and the state data
31 center.

32 Sec. _____. Section 256.54, subsection 1, Code 2009,
33 is amended by striking the subsection.

34 Sec. _____. Section 273.2, subsection 4, Code
35 Supplement 2009, is amended to read as follows:

36 4. The area education agency board shall provide
37 for special education services and media services
38 for the local school districts in the area and shall
39 encourage and assist school districts in the area to
40 establish programs for gifted and talented children.
41 The board shall assist in facilitating interlibrary
42 loans of materials between school districts and other
43 libraries. ~~Each area education agency shall include~~
44 ~~as a member of its media center advisory committee a~~
45 ~~library service area trustee or library service area~~
46 ~~staff member, who is appointed to the committee by the~~
47 ~~commission of libraries.~~

48 Sec. _____. Section 669.2, subsection 5, Code 2009,
49 is amended to read as follows:

50 5. "State agency" includes all executive

1 departments, agencies, boards, bureaus, and commissions
2 of the state of Iowa, and corporations whose
3 primary function is to act as, and while acting as,
4 instrumentalities or agencies of the state of Iowa,
5 whether or not authorized to sue and be sued in
6 their own names. This definition does not include
7 a contractor with the state of Iowa. Soil and
8 water conservation districts as defined in section
9 161A.3, subsection 6, judicial district departments
10 of correctional services as established in section
11 905.2, ~~and library service area boards of trustees~~
12 ~~as established in chapter 256~~ are state agencies for
13 purposes of this chapter.

14 Sec. _____. REPEAL. Sections 256.60, 256.61, 256.66,
15 256.67, 256.67A, 256.68, Code 2009, are repealed.

16 Sec. _____. LIBRARY SERVICE AREA EMPLOYEES -- LENGTH
17 OF SERVICE -- TRANSFER OF PERSONNEL RECORDS.

18 1. The length of service of a permanent full-time
19 employee of a library service area who is employed by a
20 library service area on June 30, 2010, and who is hired
21 by the division of libraries and information services
22 on or after July 1, 2010, shall be credited as state
23 employment service for purposes of vacation and sick
24 leave accrual.

25 2. The area administrator of each library service
26 area shall submit to the division of libraries and
27 information services the personnel records of each
28 permanent full-time employee of the library service
29 area by July 1, 2010.

30 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
31 of this Act, being deemed of immediate importance,
32 takes effect upon enactment.

33 DIVISION ____
34 LIBRARY DISTRICTS

35 Sec. _____. Section 336.2, unnumbered paragraphs 2
36 and 6, Code 2009, are amended to read as follows:

37 Eligible electors residing within the proposed
38 district in a number not less than five percent of
39 those voting for president of the United States or
40 governor, as the case may be, within the district at
41 the last general election may petition the board of
42 supervisors of the county, or the city council, for the
43 establishment of the library district. The petition
44 shall clearly designate the area to be included in the
45 district, the total number of board members, and how
46 representation on the board shall be divided among the
47 jurisdictions.

48 After the establishment of a library district other
49 areas may be included ~~by mutual agreement~~ subject to
50 the approval of the board of trustees of the library

1 district and the ~~governing body~~ passage of a referendum
2 by the electors of the area sought to be included.

3 Sec. _____. Section 336.4, Code 2009, is amended to
4 read as follows:

5 336.4 Library trustees.

6 In any area in which a library district has been
7 established in accordance with this chapter, a board
8 of library trustees, consisting of five, seven, or
9 ~~nine electors of members who resident within the~~
10 library district, shall be appointed by the ~~board of~~
11 ~~supervisors of any county or city governing bodies of~~
12 ~~the jurisdictions comprising the library district.~~
13 ~~Membership on the library board shall be apportioned~~
14 ~~between the rural and city areas of the district in~~
15 ~~proportion to the population in each of such areas. In~~
16 ~~the event the library district is composed of two or~~
17 ~~more counties, two or more cities, or any combination~~
18 ~~of counties and cities, representation on the library~~
19 ~~board shall be equitably divided between or among the~~
20 ~~counties and cities in proportion to the population in~~
21 ~~each of the counties and cities.~~

22 Sec. _____. Section 336.5, Code 2009, is amended to
23 read as follows:

24 336.5 Terms -- vacancies.

25 1. Of said the trustees so appointed in accordance
26 with section 336.4 on boards to consist consisting of
27 nine members, three shall hold office for two years,
28 three for four years, and three for six years;
29 on boards to consist consisting of seven members,
30 two shall hold office for two years, two for four
31 years, and three for six years; and on boards to
32 consist consisting of five members, one shall hold
33 office for two years, two for four years, and two
34 for six years, from the first day of July following
35 their appointment in each case. At their the first
36 meeting they of the board, members shall cast lots for
37 their respective terms, reporting the result of such
38 lot to the board of supervisors the governing body of
39 each jursidiction forming the library district. All
40 subsequent appointments, whatever the size of the
41 board, shall be for terms of six years each.

42 2. A vacancy exists when a member ceases to be a
43 resident of the jurisdiction the member represents or
44 is absent for six consecutive regular meetings of the
45 board.

46 3. Vacancies shall be filled for unexpired terms
47 by the governing body of the taxing unit of the
48 district jurisdiction represented by the retiring
49 member vacancy.

50 Sec. _____. Section 336.8, Code 2009, is amended to

1 read as follows:

2 336.8 Powers.

3 ~~Said~~ The board of library trustees shall have and
4 exercise the following powers:

5 1. ~~To meet and organize by the election of one~~
6 ~~of their number as~~ elect from among its members
7 a president of the board, and by the election of a
8 secretary and such other officers as the board may deem
9 necessary.

10 2. To direct and control all affairs of the library
11 district, as well as to have charge, and supervision of
12 the public library, and its rooms, appurtenances, and
13 fixtures, and rooms containing the same, directing and
14 controlling all the affairs of such library.

15 3. To employ a librarian, and authorize the
16 librarian to employ such assistants and employees
17 as may be necessary for the proper management of
18 said the library, and district. The board shall fix
19 their the compensation, but, prior of such employees.
20 Prior to such employment, the compensation of
21 such the librarian, assistants, and employees shall be
22 fixed for the term of employment by a majority of the
23 members of said the board voting in favor thereof.

24 4. To remove such, by a two-thirds vote of the
25 board, the librarian, and provide procedures for
26 the removal of assistants, or employees by a vote of
27 two thirds of such board for misdemeanor, incompetency,
28 or inattention to the duties of such employment duty.

29 5. To authorize the librarian to select and
30 make purchases of books, pamphlets, magazines,
31 periodicals, papers, maps, journals, furniture,
32 fixtures, stationery technology, and supplies for
33 such the library district.

34 6. To authorize the use of such libraries by school
35 corporations or the public library by nonresidents of
36 the area which is taxed to support such libraries the
37 public library and to fix charges therefor for library
38 services.

39 7. To make and adopt, amend, modify, or repeal
40 bylaws, rules, and regulations, not inconsistent with
41 law, for the care, use, government, and management
42 of such the public library and the business of
43 said the board, fixing and enforcing penalties for the
44 violation thereof violations. The board shall keep a
45 record of its proceedings.

46 8. To have exclusive control of the
47 expenditures all funds allocated for public library
48 purposes, as provided by law, and of the expenditures
49 of all moneys available by gift or otherwise for the
50 erection of public library buildings, and all other

1 moneys belonging to the public library, including
2 fines and rental fees collected, under the rules
3 of the board. ~~The board shall keep a record of its~~
4 ~~proceedings.~~

5 9. To accept gifts of any real property,
6 personal property, or mixed property, and devises
7 and bequests, including trust funds; to take the
8 title to ~~said~~ the property in the name of ~~said~~ the
9 public library; to execute deeds and bills of sale for
10 the conveyance of ~~said~~ the property; and to expend the
11 funds ~~received by them~~ generated from ~~such~~ the gifts,
12 for the improvement of ~~said~~ the public library.

13 10. To make agreements with local county historical
14 associations to set apart the necessary room and to
15 care for articles that come into the possession of
16 the association. The board may purchase necessary
17 receptacles and materials for the preservation and
18 protection of articles which are of an historical and
19 educational nature.

20 Sec. _____. Section 336.10, Code 2009, is amended to
21 read as follows:

22 336.10 Library fund.

23 1. All moneys ~~received and set apart~~ appropriated
24 or ~~received~~ for the maintenance of the public library
25 shall be deposited in the treasury of the county or
26 city, as determined by the board of library trustees,
27 and ~~paid out upon warrants drawn by the county or city~~
28 ~~auditor upon requisition of expenditures~~ shall be paid
29 by the treasurer of the county or city in which the
30 moneys are deposited on warrants ordered by the board
31 of trustees, signed by ~~its~~ the board's president and
32 secretary.

33 ~~Provided that where a free public library is~~
34 ~~maintained jointly by two or more counties or cities~~
35 ~~or any combination of counties and cities, the library~~
36 ~~trustees may elect a library treasurer, and it shall be~~
37 ~~the duty of the city and county treasurers to pay over~~
38 ~~to the library treasurer any and all library taxes that~~
39 ~~may be collected by them monthly.~~

40 2. The library treasurer of the county or city in
41 which the public library moneys are deposited pursuant
42 to subsection 1 shall be required to furnish a bond
43 conditioned as provided by section 64.2 in an amount as
44 agreed upon by the participating boards of supervisors
45 and city councils and the cost shall be paid by the
46 participating counties and cities.

47 Sec. _____. Section 336.11, Code 2009, is amended to
48 read as follows:

49 336.11 Annual report.

50 The board of library trustees shall, ~~immediately~~

1 ~~after~~ within ninety days after the close of each
2 fiscal year, submit a report to the ~~board of~~
3 ~~supervisors, and the city council, as appropriate, a~~
4 ~~report containing governing bodies of the respective~~
5 ~~jurisdictions comprising the library district. The~~
6 ~~report shall contain a statement of the condition~~
7 ~~of the library, the number of books and other~~
8 ~~resources added thereto, the number of books and~~
9 ~~other resources~~ circulated, the number of books and
10 other resources not returned or lost, the amount of
11 fines collected, and the amount of money expended in
12 the maintenance ~~thereof~~ of the public library during
13 ~~such the preceding fiscal year, together with such~~
14 ~~further any other information as it may deem the board~~
15 ~~deems~~ important.

16 Sec. _____. Section 336.12, Code 2009, is amended to
17 read as follows:

18 336.12 Real estate acquired.

19 ~~In any county or city in which a free library~~
20 ~~has been established, the~~ The board of library
21 trustees may purchase real estate in the name of the
22 ~~county or city library district~~ for the location of
23 public library buildings and branch libraries, and for
24 the purpose of enlarging the grounds.

25 Sec. _____. Section 336.13, Code 2009, is amended to
26 read as follows:

27 336.13 Maintenance expense on proportionate basis.

28 1. The maintenance of a public library established
29 in accordance with this chapter shall be on the basis
30 of each participating unit bearing its share of the
31 total cost in proportion to its population as compared
32 to the total population of the library district.

33 2. The board of library trustees shall make an
34 estimate of the amount necessary for the maintenance
35 of the library, the sources of direct library revenue,
36 and the amount to be contributed from taxes or other
37 revenues by the participating city or county and
38 hold a hearing on the estimate after notice of the
39 hearing is published as provided in section 331.305 or
40 section 362.3, as appropriate. On or before January
41 10 of each year, the board of library trustees shall
42 transmit the estimate in dollars to the ~~board of~~
43 ~~supervisors and to the cities~~ governing bodies of the
44 jurisdictions participating in the library district.
45 ~~The unincorporated area of each county in the library~~
46 ~~district shall be considered as a separate supporting~~
47 ~~unit.~~ Each board of supervisors participating shall
48 review the estimate and appropriate for library
49 purposes its share ~~in~~ from the county rural services
50 fund budget. Each city council participating shall

1 review the estimate for the city and appropriate for
2 library purposes its share ~~in~~ from the city general
3 fund budget. Each participating city or county
4 shall contribute its share from taxation or from
5 other sources available for library purposes on an
6 equitable basis. With approval of a city council, the
7 county treasurer may withhold a reasonable portion
8 of the taxes collected for a city to meet the city's
9 contribution for library purposes and deliver a receipt
10 to the city clerk for the amount withheld.

11 This section shall not affect the taxing authority
12 provided under section 256.69.

13 Sec. _____. Section 336.15, Code 2009, is amended to
14 read as follows:

15 336.15 Existing contracts assumed.

16 Whenever a library district is established in
17 accordance with this chapter, its board of trustees
18 shall assume all the obligations of the existing
19 library service contracts made by cities, townships,
20 ~~school corporations, or counties to receive library~~
21 ~~service from free public libraries jurisdictions~~
22 participating in the library district.

23 Sec. _____. Section 336.16, Code 2009, is amended to
24 read as follows:

25 336.16 Withdrawal from district -- termination.

26 1. A city may withdraw from the library district
27 upon a majority vote in favor of withdrawal by the
28 electorate of the city in an election held on a
29 motion by the city council. The election shall be
30 held simultaneously with a general or city election.
31 Notice of a favorable vote to withdraw shall be sent by
32 certified mail to the board of library trustees of the
33 library district and the county auditor or city clerk,
34 as appropriate, prior to January 10, and the withdrawal
35 shall be effective on July 1.

36 2. A county may withdraw from the district after a
37 majority of the voters of the unincorporated area of
38 the county voting on the issue favor the withdrawal.
39 The board of supervisors shall call for the election
40 which shall be held at the next general election.

41 3. A city or county election shall not be called
42 until a hearing has been held on the proposal to submit
43 a proposition of withdrawal to an election. A hearing
44 may be held only after public notice published as
45 provided in section 362.3 in the case of a city or
46 section 331.305 in the case of a county. A copy of the
47 notice submitted for publication shall be mailed to the
48 public library on or before the date of publication.
49 The proposal presented at the hearing must include a
50 plan for continuing adequate library service with or

1 without all participants and the respective allocated
2 costs and levels of service shall be stated. At
3 the hearing, any interested person shall be given a
4 reasonable time to be heard, either for or against the
5 withdrawal or the plan to accompany it.

6 4. A library district may be terminated if a
7 majority of the electors of the unincorporated area
8 of the county and the cities included in the library
9 district voting on the issue favor the termination.
10 ~~The election shall be held upon motion of the board of~~
11 ~~supervisors and simultaneously with a general or other~~
12 ~~county election.~~ If the vote favors termination, the
13 termination shall be effective on the succeeding July
14 1.

15 5. An election for withdrawal from or termination
16 of a library district shall not be held more than once
17 each four years.

18 Sec. _____. Section 336.18, subsection 4, paragraphs
19 c and d, Code 2009, are amended to read as follows:

20 c. If a majority of those voting upon the question
21 favors it, the board of supervisors shall ~~within thirty~~
22 ~~days appoint a board of library trustees from residents~~
23 ~~of the petitioning area. Vacancies shall be filled by~~
24 ~~the board.~~

25 d. ~~The board of trustees may contract with~~
26 ~~any a library for library use or service for the~~
27 ~~benefit of the residents and area represented by it.~~

28 Sec. _____. NEW SECTION. 336.19 Contracts for use
29 of public library.

30 1. Contracting. The board of library trustees may
31 contract with any other board of trustees of a free
32 public library or any other city, school corporation,
33 institution of higher learning, township, or county, or
34 with the trustees of any county library district for
35 the use of the library by their respective residents.

36 2. Termination. A contract entered into pursuant
37 to subsection 1 may be terminated as follows:

38 a. By mutual consent of the contracting parties.

39 b. By a majority vote of the electors represented
40 by either of the contracting parties. Upon a written
41 petition of a number of eligible electors equaling five
42 percent or more of the number of electors voting at the
43 last general election within the jurisdiction of the
44 contracting party, a termination proposition shall be
45 submitted to the electors by the governing body of the
46 contracting party. The petition shall be presented
47 to the governing body not less than forty days prior
48 to the next general election or special election held
49 throughout the jurisdiction of the party seeking to
50 terminate the contract. The proposition shall be

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1 submitted at the next general election or next special
2 election held throughout the jurisdiction of the party
3 seeking to terminate the contract.

4 Sec. _____. REPEAL. Sections 336.6, 336.9, and
5 336.17, Code 2009, are repealed.>

6 2. By renumbering as necessary.

By MASCHER of Johnson

H-8066 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8067

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 248, lines 31 and 32, by striking <FUNDS
4 TRANSFER PAYMENTS> and inserting <TRANSACTIONS>

5 2. Page 248, before line 33 by inserting:

6 <Sec. _____. Section 217.6, Code 2009, is amended by
7 adding the following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH If the department of
9 human services requires or requests a service consumer,
10 service provider, or other person to maintain required
11 documentation in electronic form, the department shall
12 accept such documentation submitted by electronic
13 means and shall not require a physical copy of the
14 documentation.>

15 3. By renumbering as necessary.

By SCHULTE of Linn

H-8067 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8069

1 Amend the amendment, H-8045, to Senate File 2088,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 18, line 44, through page 19,
5 line 49, and inserting: ____.

6 By striking page 166, line 25, through page
7 198, line 6, and inserting:

8 <DIVISION ____
9 EARLY CHILDHOOD

10 Sec. ____ COLOCATION OF STATE EARLY CHILDHOOD STAFF
11 -- LEGISLATIVE FINDINGS AND INTENT.

12 1. FINDINGS AND INTENT. The state of Iowa
13 provides funding, support, and technical assistance
14 for programs directed to children from birth to age
15 five utilizing a number of separate funding streams
16 and state agencies. For early childhood programs, the
17 community empowerment initiative has been instrumental
18 in improving coordination and collaboration between
19 the funding streams and state agencies by empowering
20 Iowans to assume a leadership role at the community
21 level. The general assembly finds that colocating
22 the administrative staff associated with various
23 state agency early childhood programs will further
24 enhance the degree of collaboration and efficiency.
25 It is the intent of the general assembly that at an
26 appropriate time, the programs and associated agency
27 staff listed in this section will be consolidated under
28 the authority of the Iowa empowerment board.

29 2. COMMUNITY EMPOWERMENT OFFICE. The community
30 empowerment office of the department of management
31 shall develop a plan to physically or virtually
32 colocate the state administrative offices of the
33 programs listed in this section and the associated
34 state administrative staff. The plan shall be
35 presented to the chairpersons and ranking members of
36 the committees on human resources of the senate and the
37 house of representatives on or before January 10, 2011.

38 3. PROGRAMS AND AGENCIES IDENTIFIED. The plan
39 developed by the community empowerment office pursuant
40 to subsection 2 shall address the colocation of the
41 state administrative offices and associated state
42 administrative staff for all of the following programs:

43 a. The following programs and associated staff
44 under the authority of the department of education:

45 (1) Center-based special education programs.
46 (2) The child portion of the child and adult care
47 food program.

48 (3) The early childhood network operated by the
49 department of education and area education agencies.

50 (4) The early childhood special education program.

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1 (5) The early head start and head start programs.
2 (6) The even start family literacy program.
3 (7) Iowa shared visions preschool programs for
4 children ages three to five years, implemented under
5 the auspices of the child development coordinating
6 council.

7 (8) Iowa shared visions parent support programs
8 implemented under the auspices of the child development
9 coordinating council.

10 (9) The school ready children grant program
11 implemented under the community empowerment initiative.

12 b. The following programs and associated staff
13 under the authority of the department of human
14 services:

15 (1) Child abuse prevention grants.

16 (2) Early childhood programs grants implemented
17 under the community empowerment initiative.

18 (3) Child care programs implemented under chapter
19 237A.

20 (4) Community-based family resource programs.

21 (5) The promoting safe and stable families grant
22 program.

23 c. The following programs and associated staff
24 under the authority of the Iowa department of public
25 health:

26 (1) Child health programs.

27 (2) The childhood immunization program.

28 (3) The childhood lead poisoning prevention program
29 implemented pursuant to section 135.101.

30 (4) The community-based family resource and support
31 grant program funded through the federal administration
32 for children and families, United States department of
33 health and human services.

34 (5) The healthy child care Iowa program.

35 (6) The healthy opportunities for parents to
36 experience success-healthy families Iowa (HOPES-HFI)
37 program implemented under section 135.106.

38 d. Other programs that provide support to children
39 from birth through age five and the families of such
40 children. >>

41 2. By renumbering as necessary.

By TYMESON of Madison

SENATE FILE 2088

H-8070

1 Amend the amendment, H-8045, to Senate File 2088,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 32, line 17, after <priorities.> by
5 inserting:

6 <The general assembly also finds that an effective
7 review process can address the administrative rules
8 adopted by a state agency to determine whether the
9 rules are appropriately implementing the desired public
10 policy objectives in a cost-effective manner.>

By STRUYK of Pottawattamie

H-8070 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8071

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 198, after line 6 by inserting:

4 <DIVISION _____

5 COMMUNITY COLLEGE ACCREDITATION

6 Sec. _____. Section 260C.47, subsection 1, unnumbered
7 paragraph 1, Code 2009, is amended to read as follows:

8 The state board ~~of education~~ shall establish by
9 rule an accreditation process for community college
10 programs ~~by July 1, 1997~~. The process shall be
11 jointly developed and agreed upon by the department
12 of education and the community colleges. The state
13 accreditation process shall be integrated with the
14 accreditation process of the north central association
15 of colleges and schools, including the evaluation
16 cycle, ~~the self study process~~, and the criteria for
17 evaluation, ~~which shall incorporate the standards for~~
18 ~~community colleges developed under section 260C.48,~~
19 ~~and shall identify and make provision for the needs~~
20 ~~of the state that are not met by the association's~~
21 ~~accreditation process. For the academic year~~
22 ~~commencing July 1, 1998, and in succeeding school~~
23 ~~years, the department of education shall use a~~
24 ~~two component process for the continued accreditation~~
25 ~~of community college programs. Beginning July 1,~~
26 ~~2006, the~~ The state accreditation process shall
27 incorporate the standards developed pursuant to section
28 260C.48, subsection 4 and shall include but not be
29 limited to procedures for correcting deficiencies,
30 appropriate due process procedures including a
31 hearing, consequences for failure to meet accreditation
32 standards, notification procedures, and a timeline for
33 the process. Action taken by the state board pursuant
34 to this section for failure to meet accreditation
35 standards is final agency action for purposes of
36 chapter 17A.

37 Sec. _____. Section 260C.47, subsection 1, paragraphs
38 a, b, and c, Code 2009, are amended by striking the
39 paragraphs.

40 Sec. _____. Section 260C.47, subsections 2 through 7,
41 Code 2009, are amended by striking the subsections.

42 Sec. _____. Section 260C.48, subsection 1, unnumbered
43 paragraph 1, Code 2009, is amended to read as follows:

44 The state board shall develop standards and
45 adopt rules for the accreditation of community college
46 instructors and programs. Except as provided in
47 subsection 4, the standards and rules developed and
48 adopted shall not duplicate rules adopted for the
49 accreditation process established pursuant to section
50 260C.47. The department shall monitor and evaluate

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1 the standards through a process jointly developed
2 and agreed upon by the department and the community
3 colleges. Except as provided in this subsection
4 and subsection 4, standards developed shall be
5 general in nature so as to apply to more than one
6 specific program of instruction. With regard to
7 community college-employed instructors, the standards
8 adopted shall at a minimum require that community
9 college instructors who are under contract for at
10 least half-time or more, and by July 1, 2011, all
11 instructors, meet the following requirements:>

12 2. Page 198, before line 7 by inserting:

13 <Sec. _____. Section 260C.48, subsection 2, Code
14 2009, is amended to read as follows:

15 2. Standards developed shall ~~include a~~
16 ~~provision~~ provide that the minimum standard academic
17 workload for an instructor ~~in arts and science~~
18 ~~courses~~ shall be equivalent to fifteen credit hours
19 ~~per school college term, and the maximum academic~~
20 ~~workload for any instructor shall be sixteen credit~~
21 ~~hours per school term, for classes taught during~~
22 ~~the normal school day college term. In addition~~
23 ~~thereto, If requested by the community college, any~~
24 ~~faculty member instructor~~ may teach a course or courses
25 at times other than the regular school week, involving
26 total class instruction time equivalent to not more
27 than a three credit hour course. The total workload
28 for such instructors shall not exceed the equivalent
29 of eighteen credit hours per school term beyond the
30 standard workload at the discretion of the instructor.>

31 3. By renumbering as necessary.

By STRUYK of Pottawattamie

FORRISTALL of Pottawattamie

H-8071 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8072

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows: 1.
3 Page 36, line 33, by striking <noncontract>

By PETTENGILL of Benton

H-8072 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8073

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 250, after line 19 by inserting:
4 <DIVISION ____
5 UNFUNDED FEDERAL MANDATES
6 Sec. _____. FEDERAL HEALTH CARE REFORMS -- UNFUNDED
7 FEDERAL MANDATES -- OPT-OUT. If on or after the
8 effective date of this division of this Act, the
9 United States Congress enacts or otherwise imposes
10 requirements that obligate the state to engage in any
11 new activity, to provide any new service, or to provide
12 any service beyond that required by any law enacted or
13 requirement otherwise imposed prior to the effective
14 date of this division of this Act related to health
15 care reform, and the United States Congress allows a
16 state to opt out of any of the requirements enacted
17 or otherwise imposed, it is the intent of the general
18 assembly that the state shall exercise its right to opt
19 out of all of the requirements for which that option is
20 available and for which the United States Congress does
21 not appropriate moneys to fully fund the cost of the
22 requirement enacted or imposed.>

By RANTS of Woodbury

H-8073 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8074

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 176, line 29, after <census.> by inserting
4 <However, the criteria specified in this lettered
5 paragraph does not apply to an existing area that has
6 been determined to meet quality standards and results
7 indicators.>

By HORBACH of Tama

TYMESON of Madison

PETTENGILL of Benton

KAUFMANN of Cedar

S. OLSON of Clinton

H-8074 FILED FEBRUARY 9, 2010

H-8075

1 Amend the amendment, H-8045, to Senate File 2088,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 18, by striking lines 44 through 49 and
5 inserting: ____.

6 By striking page 166, line 25, through page
7 176, line 25, and inserting:

8 <DIVISION ____

9 EARLY CHILDHOOD IOWA INITIATIVE

10 Sec. _____. NEW SECTION. 256I.1 Definitions.

11 For the purposes of this chapter, unless the context
12 otherwise requires:

13 1. "Department" means the department of management.

14 2. "Desired results" means the set of desired
15 results for improving the quality of life in this state
16 for young children and their families identified in
17 section 256I.2.

18 3. "Early care", "early care services", or "early
19 care system" means the programs, services, support, or
20 other assistance made available to a parent or other
21 person who is involved with addressing the health
22 and education needs of a child from zero through age
23 five. "Early care", "early care services", or "early
24 care system" includes but is not limited to public and
25 private efforts and formal and informal settings.

26 4. "Early childhood Iowa area" means a geographic
27 area designated in accordance with this chapter.

28 5. "Early childhood Iowa area board" or "area board"
29 means the board for an early childhood Iowa area
30 created in accordance with this chapter.

31 6. "Early childhood Iowa state board" or "state
32 board" means the early childhood Iowa state board
33 created in section 256I.3.

34 Sec. _____. NEW SECTION. 256I.2 Desired results --
35 purpose and scope.

36 1. It is intended that through the early childhood
37 Iowa initiative every community in Iowa will develop
38 the capacity and commitment for using local, informed
39 decision making to achieve the following set of desired
40 results for improving the quality of life in this state
41 for young children and their families:

42 a. Healthy children.

43 b. Children ready to succeed in school.

44 c. Safe and supportive communities.

45 d. Secure and nurturing families.

46 e. Secure and nurturing early learning
47 environments.

48 2. The purpose of creating the early childhood Iowa
49 initiative is to empower individuals, communities, and
50 state level partners to achieve the desired results.

1 The desired results will be achieved as private and
2 public entities work collaboratively. This initiative
3 creates a partnership between communities and state
4 level partners to support children zero through
5 age five and their families. The role of the early
6 childhood Iowa state board, area boards, and other
7 state and local government agencies is to provide
8 support, leadership, and facilitation of the growth
9 of individual, community, and state responsibility in
10 addressing the desired results.

11 3. To achieve the desired results, the initiative's
12 primary focus shall be on the efforts of the state and
13 communities to work together to improve the efficiency
14 and effectiveness of early care, education, health, and
15 human services provided to families with children from
16 zero through age five.

17 Sec. ____ . NEW SECTION. 256I.3 Early childhood Iowa
18 state board created.

19 1. The early childhood Iowa state board is
20 created to promote a vision for a comprehensive early
21 care, education, health, and human services system
22 in this state. The board shall oversee state and
23 local efforts. The vision shall be achieved through
24 strategic planning, funding identification, guidance,
25 and decision-making authority to assure collaboration
26 among state and local early care, education, health,
27 and human services systems.

28 2. a. The board shall consist of nine voting
29 members with three citizen members and six state agency
30 members. A citizen member shall not be an elected
31 official, public employee, or paid staff member of an
32 agency receiving funding through the early childhood
33 Iowa initiative. The six state agency members shall
34 be the directors or their designee of the following
35 departments: economic development, education, human
36 rights, human services, public health, and workforce
37 development. The designees of state agency directors
38 shall be selected on an annual basis. The citizen
39 members shall be appointed by the governor, subject to
40 confirmation by the senate.

41 b. The governor's citizen member appointees shall
42 be selected from individuals nominated by early
43 childhood Iowa area boards. The term of office of
44 the citizen members is three years. A citizen member
45 vacancy on the board shall be filled in the same manner
46 as the original appointment for the balance of the
47 unexpired term.

48 3. Citizen members shall be reimbursed for actual
49 and necessary expenses incurred in performance of their
50 duties. Citizen members shall be paid a per diem as

1 specified in section 7E.6.

2 4. In addition to the voting members, the state
3 board shall include four members of the general
4 assembly with not more than one member from each
5 chamber being from the same political party. The two
6 senators shall be appointed one each by the majority
7 leader of the senate and by the minority leader of the
8 senate. The two representatives shall be appointed one
9 each by the speaker of the house of representatives and
10 by the minority leader of the house of representatives.
11 Legislative members shall serve in an ex officio,
12 nonvoting capacity. A legislative member is eligible
13 for per diem and expenses as provided in section 2.10.

14 5. The governor shall select a chairperson from
15 the state board's voting members. The state board
16 may select other officers from the voting members as
17 determined to be necessary by the board. The board
18 shall meet regularly as determined by the board, upon
19 the call of the board's chairperson, or upon the call
20 of a majority of voting members. The board shall meet
21 at least quarterly.

22 Sec. _____. NEW SECTION. 256I.4 Early childhood Iowa
23 state board duties.

24 The state board shall perform the following duties:

25 1. Provide oversight of early childhood Iowa areas.

26 2. Manage and coordinate the provision of grant
27 funding and other moneys made available to early
28 childhood Iowa areas by combining all or portions of
29 appropriations or other revenues as authorized by law.

30 3. Approve the geographic boundaries for the early
31 childhood Iowa areas throughout the state and approve
32 any proposed changes in the boundaries.

33 4. Create a strategic plan that supports a
34 comprehensive system of early care, education, health,
35 and human services. The strategic plan shall be
36 annually updated and disseminated to the public.
37 Specific items to be addressed in the strategic
38 plan shall include but are not limited to all of the
39 following:

40 a. Provisions to strengthen the state structure
41 including interagency levels of collaboration,
42 coordination, and integration.

43 b. Provisions for building public-private
44 partnerships.

45 c. Provisions to support consolidating, blending,
46 and redistributing state-administered funding streams
47 and the coordination of federal funding streams. The
48 strategic plan shall also address integration of
49 services provided through area boards, other state and
50 local commissions, committees, and other bodies with

1 overlapping and similar purposes which contribute to
2 redundancy and fragmentation in early care, education,
3 health, and human services programs provided to the
4 public.

5 d. Provisions for improving the efficiency of
6 working with federally mandated bodies.

7 e. Identification of indicators that measure
8 the success of the various strategies that impact
9 communities, families, and children. The indicators
10 shall be developed with input from area boards.

11 5. Adopt common performance measures and data for
12 services, programs, and activities provided by area
13 boards. Data from common performance measures shall be
14 included in the state board's annual report.

15 6. Develop and implement a levels of excellence
16 rating system for use with the state board's
17 designation process for area boards. Allow for
18 flexibility and creativity of area boards in
19 implementing area board responsibilities and
20 provide authority for the area boards to support
21 the communities in the areas served. The levels
22 of excellence rating system shall utilize a tiered
23 approach for recognizing the performance of an area
24 board. The system shall provide for action to address
25 poor performing areas as well as higher performing
26 areas. If an area board achieves the highest rating
27 level, the state board shall allow special flexibility
28 provisions in regard to the funding appropriated or
29 allocated for that area board. The state board may
30 determine how often area boards are reviewed under the
31 system.

32 7. Adopt rules pursuant to chapter 17A as necessary
33 for the designation, governance, and oversight of area
34 boards and the administration of this chapter. The
35 state board shall provide for area board input in the
36 rules adoption process.

37 8. Develop guidelines for recommended insurance
38 or other liability coverage and take other actions to
39 assist area boards in acquiring such coverage at a
40 reasonable cost. Moneys expended by an area board to
41 acquire necessary insurance or other liability coverage
42 shall be considered an administrative cost.

43 9. In January each year, submit an annual report to
44 the governor and general assembly that includes but is
45 not limited to all of the following:

46 a. Any updates to the strategic plan.

47 b. The status and results of the early childhood
48 Iowa initiative efforts to engage the public regarding
49 the early care, education, health, human services, and
50 other needs of children zero through age five.

1 c. The status and results of the efforts to develop
2 and promote private sector involvement with the early
3 care system.

4 d. The status of the early childhood Iowa
5 initiative and the overall early care system in
6 achieving the set of desired results.

7 e. The data and common performance measures
8 addressed by the strategic plan, which shall include
9 but is not limited to funding amounts.

10 f. The indicators addressed by the strategic plan
11 along with associated data trends and their source.

12 10. Integrate statewide quality standards and
13 results indicators adopted by other boards and
14 commissions into the state board's funding requirements
15 for investments in early care, health, education, and
16 human services.

17 11. Ensure alignment of other state departments'
18 activities with the strategic plan.

19 12. Develop and keep current memoranda of
20 agreements between the state agencies represented
21 on the state board to promote system development
22 and integration and to clarify the roles and
23 responsibilities of partner agencies.

24 13. Work with the early childhood coordination
25 center in building public-private partnerships for
26 promoting the collaborative early care, education,
27 health, and human services system.

28 14. Support and align the early childhood Iowa
29 internet site with other agencies and improve internet
30 communication.

31 Sec. _____. NEW SECTION. 256I.5 Early childhood
32 coordination center.

33 1. The department is the lead agency for
34 implementation of the early childhood Iowa
35 initiative and for support of the state board and the
36 comprehensive early care, education, health, and human
37 services system.

38 2. a. The early childhood coordination center
39 is established as a work unit of the department to
40 provide a center for facilitation, communication, and
41 coordination for early childhood Iowa activities and
42 funding and for improvement of the individual early
43 care, education, health, and human services systems and
44 the comprehensive system.

45 b. Staffing for the center shall be provided
46 by a project director, a deputy, a family support
47 coordinator, and a first years first coordinator.
48 Dedicated fiscal staff and support staff may be
49 designated, subject to an appropriation made for this
50 purpose. The center shall submit reports to the

1 governor, state board, and the general assembly. The
2 project director shall provide primary staffing to the
3 board, coordinate state technical assistance activities
4 and implementation of the technical assistance system,
5 and oversee other communication and coordination
6 functions.

7 3. The director of the department of education
8 may designate additional staff, as part of the early
9 childhood Iowa initiative, to work with the center in
10 providing coordination and other support to the state's
11 comprehensive early care, education, health, and human
12 services system.

13 4. The director of the department shall establish
14 a technical assistance team to work with the center.
15 The team shall consist of staff from the state agencies
16 represented on the state board.

17 5. The center shall work with the state and area
18 boards to provide leadership for comprehensive system
19 development. The center shall also do all of the
20 following:

21 a. Enter into memoranda of agreement with the
22 departments of economic development, education, human
23 rights, human services, public health, and workforce
24 development to formalize the respective departments'
25 commitments to collaborating with and integrating a
26 comprehensive early care, education, health, and human
27 services system. Items addressed in the memoranda
28 shall include but are not limited to data sharing and
29 providing staffing to the technical assistance team.

30 b. Work with private businesses, foundations, and
31 nonprofit organizations to develop sustained funding.

32 c. Maintain the internet site in accordance with
33 section 256I.10.

34 d. Propose any needed revisions to administrative
35 rules based on stakeholder input.

36 e. Provide technical support to the state and area
37 boards and to the early childhood Iowa areas through
38 staffing services made available through the state
39 agencies that serve on the state board.

40 f. Develop, collect, disseminate, and provide
41 guidance for common performance measures for the
42 programs receiving funding under the auspices of the
43 area boards.

44 g. If a disagreement arises within an early
45 childhood Iowa area regarding the interests represented
46 on the area's board, board decisions, or other disputes
47 that cannot be locally resolved, upon request, provide
48 state or regional technical assistance as deemed
49 appropriate by the center to assist the area in
50 resolving the disagreement.

1 Sec. _____. NEW SECTION. 256I.6 Early childhood Iowa
2 areas.

3 1. The purpose of an early childhood Iowa area is
4 to enable local citizens to lead collaborative efforts
5 involving early care, education, health, and human
6 services on behalf of the children, families, and other
7 citizens residing in the area. Leadership functions
8 may include but are not limited to strategic planning
9 for and oversight and managing of such programs and
10 the funding made available to the early childhood Iowa
11 area for such programs from federal, state, local,
12 and private sources. The focus of the area shall be
13 to achieve the desired results and to improve other
14 results for families with young children.

15 2. An early childhood Iowa area shall be designated
16 by using existing county boundaries to the extent
17 possible.

18 3. The designation of an early childhood Iowa
19 area boundaries and the creation of an area board
20 are both subject to the approval of the state board.
21 The state board shall determine if a proposed area
22 board can efficiently and effectively administer
23 the responsibilities and authority of the area to be
24 served. The state board may apply additional criteria
25 for designating areas and approving area boards, but
26 shall apply all of the following minimum criteria:

27 a. An area cannot encompass more than four
28 counties.

29 b. The counties encompassing a multicounty area
30 must have contiguous borders. >>

31 2. By striking page 18, line 50, through page 19,
32 line 3, and inserting: ____.

33 Page 176, line 29, after <census.> by
34 inserting <However, the criteria specified in this
35 lettered paragraph does not apply to an existing area
36 that has been determined to meet quality standards and
37 results indicators.>>

38 3. Page 19, by striking lines 4 through 49 and
39 inserting: ____.

40 By striking page 176, line 30, through page
41 198, line 6, and inserting:

42 <4. If the state board determines exceptional
43 circumstances exist, the state board may waive any of
44 the criteria otherwise specified in subsection 3.

45 Sec. _____. NEW SECTION. 256I.7 Early childhood Iowa
46 area boards created.

47 1. a. The early childhood Iowa functions for
48 an area shall be performed under the authority of an
49 early childhood Iowa area board. The membership of an
50 area board shall consist of elected officials in the

1 area and citizen members who reside in the area. A
2 citizen member shall not be an employee of or otherwise
3 represent education, health, or human services agencies
4 or be a paid staff member of an agency receiving
5 funding through the early childhood Iowa initiative.
6 In addition, the membership of an area board shall
7 include representation from education, health, human
8 services, business, and faith interests, and at least
9 one parent, grandparent, or guardian of a child from
10 zero through age five. The education, health, and
11 human services agencies represented on an area board
12 may receive funding from the area board.

13 b. Terms of office of area board members shall
14 be not more than three years and the terms shall be
15 staggered.

16 2. An area board may designate an advisory council
17 consisting of persons employed by or otherwise paid to
18 represent an entity listed in subsection 1 or other
19 provider of service.

20 3. An area board shall elect a chairperson
21 from among the members who are citizens or elected
22 officials.

23 4. An area board is a unit of local government for
24 purposes of chapter 670, relating to tort liability
25 of governmental subdivisions. For purposes of
26 implementing a formal organizational structure, an area
27 board may utilize recommended guidelines and bylaws
28 established for this purpose by the state board.

29 5. All meetings of an area board or any committee
30 or other body established by an area board at which
31 public business is discussed or formal action taken
32 shall comply with the requirements of chapter 21. An
33 area board shall maintain its records in accordance
34 with chapter 22.

35 Sec. _____. NEW SECTION. 256I.8 Early childhood Iowa
36 area board duties.

37 1. An early childhood Iowa area board shall do all
38 of the following:

39 a. Designate a public agency of this state, as
40 defined in section 28E.2, a community action agency
41 as defined in section 216A.91, an area education
42 agency established under section 273.2, or a nonprofit
43 corporation, to be the fiscal agent for grant moneys or
44 for other moneys administered by the area board.

45 b. Administer early childhood Iowa grant moneys
46 available from the state to the area board as provided
47 by law and other federal, state, local, and private
48 moneys made available to the area board. Eligibility
49 for receipt of early childhood Iowa grant moneys shall
50 be limited to those early childhood area boards that

1 have developed an approved community plan in accordance
2 with this chapter. An early childhood area board
3 may apply to the state board for any private moneys
4 received by the early childhood Iowa initiative outside
5 of a state appropriation.

6 c. Develop a comprehensive community plan for
7 providing services for children from zero through
8 age five. At a minimum, the plan shall do all of the
9 following:

10 (1) Describe community and area needs for children
11 from zero through age five as identified through
12 ongoing assessments.

13 (2) Describe the current and desired levels of
14 community and area coordination of services for
15 children from zero through age five, including the
16 involvement and specific responsibilities of all
17 related organizations and entities.

18 (3) Identify all federal, state, local, and private
19 funding sources including funding estimates available
20 in the early childhood Iowa area that will be used
21 to provide services to children from zero through age
22 five.

23 (4) Describe how funding sources will be used
24 collaboratively and the degree to which the sources
25 can be combined to provide necessary services to young
26 children and their families.

27 (5) Identify the desired results and the
28 community-wide indicators the area board
29 expects to address through implementation of the
30 comprehensive community plan. The plan shall identify
31 community-specific, quantifiable performance measures
32 to be reported in the area board's annual report and
33 integration with the strategic plan adopted by the
34 state board.

35 (6) Describe the current status of support services
36 to prevent the spread of infectious diseases, prevent
37 child injuries, develop health emergency protocols,
38 help with medication, and care for children with
39 special health needs that are being provided to child
40 care facilities registered or licensed under chapter
41 237A within the early childhood Iowa area.

42 d. Submit an annual report on the effectiveness of
43 the community plan in addressing school readiness and
44 children's health and safety needs to the state board
45 and to the local government bodies in the area. The
46 annual report shall indicate the effectiveness of the
47 area board in addressing state and locally determined
48 goals.

49 e. Function as a coordinating body for services
50 offered by different entities directed to similar

1 purposes within the area.

2 f. Assume other responsibilities established by law
3 or administrative rule.

4 2. An area board may do any of the following:

5 a. Designate one or more committees to assist with
6 area board functions.

7 b. Utilize community bodies for input to the area
8 board and implementation of services.

9 Sec. ____ . NEW SECTION. 256I.9 School ready
10 children grant program.

11 1. The state board shall develop and promote a
12 school ready children grant program which shall provide
13 for all of the following components:

14 a. Identify the performance measures that will be
15 used to assess the effectiveness of the school ready
16 children grants.

17 b. Identify guidelines and a process to be used for
18 determining the readiness of an early childhood Iowa
19 area board for administering a school ready children
20 grant.

21 c. Provide for technical assistance concerning
22 funding sources, program design, and other pertinent
23 areas.

24 2. The state board shall provide maximum
25 flexibility to grantees for the use of the grant moneys
26 included in a school ready children grant.

27 3. A school ready children grant shall, to the
28 extent possible, be used to support programs that meet
29 quality standards identified by the state board. At a
30 minimum, a grant shall be used to provide all of the
31 following:

32 a. Preschool services provided on a voluntary basis
33 to children deemed at risk.

34 b. Family support services and parent education
35 programs promoted to parents of children from zero
36 through age five. Family support services shall
37 include but are not limited to home visitation.

38 c. Other services to support the strategic plan
39 developed by the state board.

40 4. a. A school ready children grant shall be
41 awarded to an area board annually, as funding is
42 available. Receipt of continued funding is subject
43 to submission of the required annual report and the
44 state board's determination that the area board is
45 measuring, through the use of performance measures
46 and community-wide indicators developed by the state
47 board with input from area boards, progress toward and
48 is achieving the desired results and other results
49 identified in the community plan. Each area board
50 shall participate in the levels of excellence rating

1 system to measure the area's success. If the use of
2 performance measures and community-wide indicators does
3 not show that an area board has made progress toward
4 achieving the results identified in the community
5 plan, the state board may request a plan of corrective
6 action, withhold any increase in funding, or withdraw
7 grant funding.

8 b. The state board shall distribute school
9 ready children grant moneys to area boards with
10 approved comprehensive community plans based upon
11 a determination of an early childhood Iowa area's
12 readiness to effectively utilize the grant moneys.
13 The grant moneys shall be adjusted for other federal
14 and state grant moneys to be received by the area for
15 services to children from zero through age five.

16 c. An area board's readiness shall be determined
17 by evidence of successful collaboration among public
18 and private early care, education, health, and
19 human services interests in the area or a documented
20 program design that supports a strong likelihood of
21 a successful collaboration between these interests.
22 Other criteria which may be used by the state board
23 to determine readiness and evaluate the funding
24 flexibility for an area include one or more of the
25 following:

26 (1) The levels of excellence rating received by the
27 area.

28 (2) Experience or other evidence of the area's
29 capacity to successfully implement the services in the
30 area's community plan.

31 (3) Local public and private funding and other
32 resources committed to implementation of the community
33 plan.

34 (4) The adequacy of plans for commitment of local
35 funding and other resources for implementation of the
36 community plan.

37 d. The provisions for distribution of school ready
38 children grant moneys shall be determined by the state
39 board.

40 e. The amount of school ready children grant
41 funding an area board may carry forward from one fiscal
42 year to the succeeding fiscal year shall not exceed
43 twenty percent of the grant amount for the fiscal year.
44 All of the school ready children grant funds received
45 by an area board for a fiscal year which remain
46 unencumbered or unobligated at the close of a fiscal
47 year shall be carried forward to the succeeding fiscal
48 year. However, the grant amount for the succeeding
49 fiscal year shall be reduced by the amount in excess
50 of twenty percent of the grant amount received for the

1 fiscal year.

2 Sec. _____. NEW SECTION. 256I.10 Early childhood
3 Iowa internet site.

4 1. The department shall provide for the operation
5 of an internet site for purposes of widely distributing
6 information regarding early care, education, health,
7 and human services and other information provided
8 by the departments represented on the state board
9 and the public and private agencies addressing the
10 comprehensive system for such services.

11 2. Information provided on the internet site shall
12 include but is not limited to all of the following:

13 a. Information about the early childhood Iowa
14 initiative for state and local use.

15 b. A link to a special internet site directed to
16 parents, including parent-specific information on early
17 care, education, health, and human services and links
18 to other resources available on the internet and from
19 other sources.

20 c. Program standards for early care, education,
21 health, and human services that have been approved by
22 state agencies.

23 3. The department shall provide to the state board
24 information regarding the extent and frequency of usage
25 of the internet site or sites and this information
26 shall be included in the board's annual report to the
27 governor and general assembly.

28 Sec. _____. NEW SECTION. 256I.11 Early childhood
29 Iowa fund.

30 1. An early childhood Iowa fund is created in
31 the state treasury. The moneys credited to the
32 fund are not subject to section 8.33 and moneys in
33 the fund shall not be transferred, used, obligated,
34 appropriated, or otherwise encumbered except as
35 provided by law. Notwithstanding section 12C.7,
36 subsection 2, interest or earnings on moneys deposited
37 in the fund shall be credited to the fund.

38 2. A school ready children grants account is
39 created in the fund under the authority of the director
40 of the department of education. Moneys credited to
41 the account shall be distributed by the department
42 in the form of grants to early childhood Iowa areas
43 pursuant to criteria established by the state board in
44 accordance with law.

45 3. Unless a different amount is authorized by law,
46 up to five percent of the school ready children grant
47 moneys distributed to an area board may be used by the
48 area board for administrative costs.

49 4. a. An early childhood programs grants account
50 is created in the fund under the authority of the

1 director of the department of education. Moneys
2 credited to the account under the auspices of the
3 department of human services are appropriated to and
4 shall be distributed by the department of education
5 in the form of grants to early childhood Iowa areas
6 pursuant to criteria established by the state board
7 in accordance with law. The criteria shall include
8 but are not limited to a requirement that an early
9 childhood Iowa area must be designated by the state
10 board in order to be eligible to receive an early
11 childhood programs grant.

12 b. The maximum funding amount an early childhood
13 Iowa area is eligible to receive from the early
14 childhood programs grant account for a fiscal year
15 shall be determined by applying the area's percentage
16 of the state's average monthly family investment
17 program population in the preceding fiscal year to the
18 total amount credited to the account for the fiscal
19 year.

20 c. An early childhood Iowa area receiving funding
21 from the early childhood programs grant account
22 shall comply with any federal reporting requirements
23 associated with the use of that funding and other
24 results and reporting requirements established by the
25 state board. The early childhood coordination center
26 shall provide technical assistance in identifying and
27 meeting the federal requirements. The availability of
28 funding provided from the account is subject to changes
29 in federal requirements and amendments to Iowa law.

30 d. The moneys distributed from the early childhood
31 programs grant account shall be used by early childhood
32 Iowa areas for the purposes of enhancing quality
33 child care capacity in support of parent capability
34 to obtain or retain employment. The moneys shall be
35 used with a primary emphasis on low-income families
36 and children from zero to age five. Moneys shall be
37 provided in a flexible manner and shall be used to
38 implement strategies identified by the early childhood
39 Iowa area to achieve such purposes. The department of
40 education may use a portion of the funding appropriated
41 to the department under this subsection for provision
42 of technical assistance and other support to the early
43 childhood Iowa areas developing and implementing
44 strategies with grant moneys distributed from the
45 account.

46 e. Moneys from a federal block grant that are
47 credited to the early childhood programs grant account
48 but are not distributed to an early childhood Iowa area
49 or otherwise remain unobligated or unexpended at the
50 end of the fiscal year shall revert to the fund created

1 in section 8.41 to be available for appropriation by
2 the general assembly in a subsequent fiscal year.

3 5. A first years first account is created in
4 the fund under the authority of the department of
5 education. The account shall consist of gift or grant
6 moneys obtained from any source, including but not
7 limited to the federal government. Moneys credited to
8 the account are appropriated to the department to be
9 used for the early childhood-related purposes for which
10 the moneys were received.

11 Sec. _____. Section 135.106, subsection 3, Code 2009,
12 is amended to read as follows:

13 3. It is the intent of the general assembly to
14 provide communities with the discretion and authority
15 to redesign existing local programs and services
16 targeted at and assisting families expecting babies
17 and families with children who are newborn through
18 five years of age. The Iowa department of public
19 health, department of human services, department of
20 education, and other state agencies and programs, as
21 appropriate, shall provide technical assistance and
22 support to communities desiring to redesign their
23 local programs and shall facilitate the consolidation
24 of existing state funding appropriated and made
25 available to the community for family support services.
26 Funds which are consolidated in accordance with this
27 subsection shall be used to support the redesigned
28 service delivery system. In redesigning services,
29 communities are encouraged to implement a single
30 uniform family risk assessment mechanism and shall
31 demonstrate the potential for improved outcomes for
32 children and families. Requests by local communities
33 for the redesigning of services shall be submitted to
34 the Iowa department of public health, department of
35 human services, and department of education, and are
36 subject to the approval of the early childhood Iowa
37 ~~empowerment state board~~ in consultation with the
38 departments, based on the practices utilized with
39 ~~community empowerment~~ early childhood Iowa areas under
40 chapter ~~28~~ 256I.

41 Sec. _____. Section 135.119, subsection 2, paragraph
42 d, Code Supplement 2009, is amended to read as follows:

43 d. The program plan shall incorporate a multiyear,
44 collaborative approach for implementation of the
45 plan. The plan shall address how to involve those who
46 regularly work with parents and persons responsible for
47 the care of a child, including but not limited to child
48 abuse prevention programs, child care resource and
49 referral programs, child care providers, family support
50 programs, programs receiving funding through the

1 ~~community empowerment~~ early childhood Iowa initiative,
2 public and private schools, health care providers,
3 local health departments, birth centers, and birthing
4 hospitals.

5 Sec. _____. Section 135.159, subsection 3, paragraph
6 i, Code Supplement 2009, is amended to read as follows:

7 i. For children, coordinate with and integrate
8 guidelines, data, and information from existing newborn
9 and child health programs and entities, including but
10 not limited to the healthy opportunities for parents
11 to experience success - healthy families Iowa program,
12 the ~~community empowerment program~~ early childhood Iowa
13 initiative, the center for congenital and inherited
14 disorders screening and health care programs, standards
15 of care for pediatric health guidelines, the office of
16 multicultural health established in section 135.12, the
17 oral health bureau established in section 135.15, and
18 other similar programs and services.

19 Sec. _____. Section 142A.4, subsection 8, Code
20 Supplement 2009, is amended to read as follows:

21 8. Assist with the linkage of the initiative with
22 child welfare and juvenile justice decategorization
23 projects, education programming, ~~community~~
24 ~~empowerment~~ early childhood Iowa areas, and other
25 programs and services directed to youth at the state
26 and community level.

27 Sec. _____. Section 142A.8, subsection 2, Code 2009,
28 is amended to read as follows:

29 2. A community partnership area shall encompass
30 a county or multicounty area, school district or
31 multischool district area, economic development
32 enterprise zone that meets the requirements of an urban
33 or rural enterprise community under ~~Title~~ Tit. XIII of
34 the federal Omnibus Budget Reconciliation Act of 1993,
35 or ~~community empowerment~~ early childhood Iowa area, in
36 accordance with criteria adopted by the commission for
37 appropriate population levels and size of geographic
38 areas.

39 Sec. _____. Section 216A.140, subsection 5, paragraph
40 j, Code Supplement 2009, is amended to read as follows:

41 j. ~~Office of community empowerment~~ Early childhood
42 coordination center in the department of management.

43 Sec. _____. Section 217.42, subsection 1, Code 2009,
44 is amended to read as follows:

45 1. The organizational structure to deliver the
46 department's field services shall be based upon service
47 areas. The service areas shall serve as a basis for
48 providing field services to persons residing in the
49 counties comprising the service area. The service
50 areas shall be those designated by the department

1 effective January 1, 2002. In determining the
2 service areas, the department shall consider other
3 geographic service areas including but not limited to
4 judicial districts and ~~community empowerment~~ early
5 childhood Iowa areas. The department shall consult
6 with the county boards of supervisors in a service
7 area with respect to the selection of the service
8 area manager responsible for the service area who is
9 initially selected for the service area designated
10 effective January 1, 2002, and any service area manager
11 selected for the service area thereafter. Following
12 establishment of the service areas effective January
13 1, 2002, if a county seeks to change the boundaries
14 of a service area, the change shall only take place
15 if the change is mutually agreeable to the department
16 and all affected counties. If it is necessary for the
17 department to significantly modify its field operations
18 or the composition of a designated service area, or
19 if it is necessary for the department to change the
20 number of offices operating less than full-time, the
21 department shall consult with the affected counties
22 prior to implementing such action.

23 Sec. _____. Section 232.188, subsection 4, paragraph
24 c, Code 2009, is amended to read as follows:

25 c. A decategorization governance board shall
26 coordinate the project's planning and budgeting
27 activities with the departmental service area manager
28 for the county or counties comprising the project area
29 and the ~~community empowerment~~ early childhood Iowa area
30 board or boards for the ~~community empowerment~~ early
31 childhood Iowa area or areas within which the
32 decategorization project is located.

33 Sec. _____. Section 237A.21, subsection 3, paragraph
34 n, Code Supplement 2009, is amended to read as follows:

35 n. One designee of the ~~community empowerment~~
36 office early childhood coordination center of the
37 department of management.

38 Sec. _____. Section 237A.21, subsection 3, paragraph
39 q, Code Supplement 2009, is amended to read as follows:

40 q. One person who represents the early childhood
41 Iowa ~~council~~ state board created in section
42 ~~135.173~~ 256I.3.

43 Sec. _____. Section 237A.22, subsection 1, paragraph
44 j, Code Supplement 2009, is amended to read as follows:

45 j. Advise and assist the early childhood Iowa
46 ~~council~~ state board in developing the strategic plan
47 required pursuant to section ~~135.173~~ 256I.4.

48 Sec. _____. Section 237A.26, subsection 8, Code 2009,
49 is amended to read as follows:

50 8. For purposes of improving the quality and

1 consistency of data collection, consultation, and other
2 support to child care home and child development home
3 providers, a resource and referral services agency
4 grantee shall coordinate and assist with publicly
5 and privately funded efforts administered at the
6 community level to provide the support. The support
7 and efforts addressed by a grantee may include but are
8 not limited to community-funded child care home and
9 child development home consultants. Community members
10 involved with the assistance may include but are not
11 limited to the efforts of ~~a community empowerment an~~
12 early childhood Iowa area board under chapter ~~28~~ 256I,
13 and of community representatives of education, health,
14 human services, business, faith, and public interests.

15 Sec. _____. Section 237A.30, subsection 1, Code 2009,
16 is amended to read as follows:

17 1. The department shall work with the ~~community~~
18 ~~empowerment office of early childhood coordination~~
19 center in the department of management established in
20 section ~~28.3~~ 256I.5 and the state child care advisory
21 council in designing and implementing a voluntary
22 quality rating system for each provider type of child
23 care facility.

24 Sec. _____. Section 256C.3, subsection 3, paragraph
25 e, Code 2009, is amended to read as follows:

26 e. Collaboration with participating families, early
27 care providers, and community partners including but
28 not limited to ~~community empowerment~~ early childhood
29 Iowa area boards, head start programs, shared visions
30 and other programs provided under the auspices of the
31 child development coordinating council, licensed child
32 care centers, registered child development homes,
33 area education agencies, child care resource and
34 referral services provided under section 237A.26, early
35 childhood special education programs, services funded
36 by ~~Title Tit.~~ I of the federal Elementary and Secondary
37 Education Act of 1965, and family support programs.

38 Sec. _____. Section 256C.3, subsection 4, paragraph
39 a, Code 2009, is amended to read as follows:

40 a. Methods of demonstrating community readiness
41 to implement high-quality instruction in a local
42 program shall be identified. The potential provider
43 shall submit a collaborative program proposal that
44 demonstrates the involvement of multiple community
45 stakeholders including but not limited to, and only as
46 applicable, parents, the school district, accredited
47 nonpublic schools and faith-based representatives, the
48 area education agency, the ~~community empowerment~~ early
49 childhood Iowa area board, representatives of business,
50 head start programs, shared visions and other programs

1 provided under the auspices of the child development
2 coordinating council, center-based and home-based
3 providers of child care services, human services,
4 public health, and economic development programs. The
5 methods may include but are not limited to a school
6 district providing evidence of a public hearing on
7 the proposed programming and written documentation of
8 collaboration agreements between the school district,
9 existing community providers, and other community
10 stakeholders addressing operational procedures and
11 other critical measures.

12 Sec. _____. Section 256C.4, subsection 2, paragraph
13 b, Code 2009, is amended to read as follows:

14 b. The enrollment count of eligible students shall
15 not include a child who is included in the enrollment
16 count determined under section 257.6 or a child who is
17 served by a program already receiving state or federal
18 funds for the purpose of the provision of four-year-old
19 preschool programming while the child is being served
20 by the program. Such preschool programming includes
21 but is not limited to child development assistance
22 programs provided under chapter 256A, special education
23 programs provided under section 256B.9, school ready
24 children grant programs and other programs provided
25 under chapter ~~28~~ 256I, and federal head start programs
26 and the services funded by ~~Title Tit.~~ Title I of the federal
27 Elementary and Secondary Education Act of 1965.

28 Sec. _____. Section 279.60, Code 2009, is amended to
29 read as follows:

30 279.60 Kindergarten assessment -- access to data --
31 reports.

32 Each school district shall administer the dynamic
33 indicators of basic early literacy skills kindergarten
34 benchmark assessment or other kindergarten benchmark
35 assessment adopted by the department of education
36 in consultation with the early childhood Iowa
37 ~~empowerment state board~~ to every kindergarten student
38 enrolled in the district not later than the date
39 specified in section 257.6, subsection 1. The school
40 district shall also collect information from each
41 parent, guardian, or legal custodian of a kindergarten
42 student enrolled in the district, including but not
43 limited to whether the student attended preschool,
44 factors identified by the early ~~care-staff~~ childhood
45 coordination center pursuant to section ~~28.3~~ 256I.5,
46 and other demographic factors. Each school district
47 shall report the results of the assessment and the
48 preschool information collected to the department of
49 education in the manner prescribed by the department
50 not later than January 1 of that school year. The

1 ~~early care staff designated pursuant to section~~
2 ~~28.3 early childhood coordination center in the~~
3 ~~department of management~~ shall have access to the raw
4 data. The department shall review the information
5 submitted pursuant to this section and shall submit
6 its findings and recommendations annually in a report
7 to the governor, the general assembly, the early
8 childhood Iowa empowerment state board, and the
9 ~~community empowerment~~ early childhood Iowa area boards.

10 Sec. _____. Section 915.35, subsection 4, paragraph
11 b, Code Supplement 2009, is amended to read as follows:

12 b. A child protection assistance team may also
13 consult with or include juvenile court officers,
14 medical and mental health professionals, physicians
15 or other hospital-based health professionals,
16 court-appointed special advocates, guardians ad litem,
17 and members of a multidisciplinary team created by
18 the department of human services for child abuse
19 investigations. A child protection assistance team
20 may work cooperatively with the ~~local community~~
21 empowerment early childhood Iowa area board established
22 under ~~section 28.6 chapter 256I~~. The child protection
23 assistance team shall work with the department of human
24 services in accordance with section 232.71B, subsection
25 3, in developing the protocols for prioritizing the
26 actions taken in response to child abuse reports and
27 for law enforcement agencies working jointly with the
28 department at the local level in processes for child
29 abuse reports. The department of justice may provide
30 training and other assistance to support the activities
31 of a child protection assistance team.

32 Sec. _____. REPEALS.

33 1. Chapter 28, Code and Code Supplement 2009, is
34 repealed.

35 2. Section 135.173, Code Supplement 2009, is
36 repealed.

37 3. Section 135.174, Code 2009, is repealed.

38 Sec. _____. IMPLEMENTATION OF ACT. Section 25B.2,
39 subsection 3, shall not apply to this division of this
40 Act.

41 Sec. _____. TRANSITION.

42 1. Effective on or after July 1, 2010, as
43 determined by the early childhood Iowa state board
44 created pursuant to this division of this Act, the
45 designations granted by the Iowa empowerment board to
46 community empowerment areas and community empowerment
47 area boards under chapter 28, Code 2009, are withdrawn.
48 However, subject to the approval of the early childhood
49 Iowa state board in accordance with the area board
50 designation criteria established by this division

1 of this Act, all or a portion of the membership of a
2 community empowerment area board may be redesignated to
3 serve as the membership of the initial early childhood
4 Iowa area board for the relevant early childhood Iowa
5 area to be served. Subject to rules to be adopted by
6 the state board addressing redesignation of community
7 empowerment areas as early childhood Iowa areas,
8 existing multicounty community empowerment area boards
9 may choose to be redefined as early childhood Iowa area
10 boards.

11 2. Effective on or after July 1, 2010, as
12 determined by the early childhood Iowa state board, any
13 school ready children grant or other state or federal
14 funds in the possession of a community empowerment area
15 remaining unobligated or unexpended shall be returned
16 to the department of education. The department shall
17 credit funds received to the school ready children
18 grant account or other corresponding account of the
19 early childhood Iowa fund. The moneys credited shall
20 be redisseminated to an early childhood Iowa area or
21 areas that correspond geographically to the boundaries
22 of the community empowerment area that returned the
23 funds.

24 3. Until the early childhood Iowa state board
25 has adopted administrative rules to implement the
26 provisions of chapter 256I, as enacted by this division
27 of this Act, the department of management shall apply
28 the relevant rules adopted to implement the community
29 empowerment initiative under chapter 28, Code 2009.
30 The state board shall also adopt rules addressing
31 transition of contracts entered into by community
32 empowerment area boards that include provisions in
33 effect on or after July 1, 2010. >>

34 4. By renumbering as necessary.

By KOESTER of Polk

S. OLSON of Clinton

HORBACH of Tama

TYMESON of Madison

PETTENGILL of Benton

KAUFMANN of Cedar

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1 Amend the amendment, H-8045, to Senate File 2088,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 18, line 44, through page 19,
5 line 49, and inserting: <____.

6 By striking page 166, line 25, through page
7 198, line 6, and inserting:

8 <DIVISION _____

9 EARLY CHILDHOOD IOWA INITIATIVE

10 Sec. _____. NEW SECTION. 256I.1 Definitions.

11 For the purposes of this chapter, unless the context
12 otherwise requires:

13 1. "Department" means the department of management.

14 2. "Desired results" means the set of desired
15 results for improving the quality of life in this state
16 for young children and their families identified in
17 section 256I.2.

18 3. "Early care", "early care services", or "early
19 care system" means the programs, services, support, or
20 other assistance made available to a parent or other
21 person who is involved with addressing the health
22 and education needs of a child from zero through age
23 five. "Early care", "early care services", or "early
24 care system" includes but is not limited to public and
25 private efforts and formal and informal settings.

26 4. "Early childhood Iowa area" means a geographic
27 area designated in accordance with this chapter.

28 5. "Early childhood Iowa area board" or "area board"
29 means the board for an early childhood Iowa area
30 created in accordance with this chapter.

31 6. "Early childhood Iowa state board" or "state
32 board" means the early childhood Iowa state board
33 created in section 256I.3.

34 Sec. _____. NEW SECTION. 256I.2 Desired results --
35 purpose and scope.

36 1. It is intended that through the early childhood
37 Iowa initiative every community in Iowa will develop
38 the capacity and commitment for using local, informed
39 decision making to achieve the following set of desired
40 results for improving the quality of life in this state
41 for young children and their families:

42 a. Healthy children.

43 b. Children ready to succeed in school.

44 c. Safe and supportive communities.

45 d. Secure and nurturing families.

46 e. Secure and nurturing early learning
47 environments.

48 2. The purpose of creating the early childhood Iowa
49 initiative is to empower individuals, communities, and
50 state level partners to achieve the desired results.

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1 The desired results will be achieved as private and
2 public entities work collaboratively. This initiative
3 creates a partnership between communities and state
4 level partners to support children zero through
5 age five and their families. The role of the early
6 childhood Iowa state board, area boards, and other
7 state and local government agencies is to provide
8 support, leadership, and facilitation of the growth
9 of individual, community, and state responsibility in
10 addressing the desired results.

11 3. To achieve the desired results, the initiative's
12 primary focus shall be on the efforts of the state and
13 communities to work together to improve the efficiency
14 and effectiveness of early care, education, health, and
15 human services provided to families with children from
16 zero through age five.

17 Sec. ____ . NEW SECTION. 256I.3 Early childhood Iowa
18 state board created.

19 1. The early childhood Iowa state board is
20 created to promote a vision for a comprehensive early
21 care, education, health, and human services system
22 in this state. The board shall oversee state and
23 local efforts. The vision shall be achieved through
24 strategic planning, funding identification, guidance,
25 and decision-making authority to assure collaboration
26 among state and local early care, education, health,
27 and human services systems.

28 2. a. The board shall consist of twenty-one voting
29 members with fifteen citizen members and six state
30 agency members. The six state agency members shall
31 be the directors or their designees of the following
32 departments: economic development, education, human
33 rights, human services, public health, and workforce
34 development. The designees of state agency directors
35 shall be selected on an annual basis. The citizen
36 members shall be appointed by the governor, subject
37 to confirmation by the senate. The governor's
38 appointments of citizen members shall be made in
39 a manner so that each of the state's congressional
40 districts is represented by at least two citizen
41 members and so that all the appointments as a whole
42 reflect the ethnic, cultural, social, and economic
43 diversity of the state.

44 b. The governor's appointees shall be selected from
45 individuals nominated by area boards. The nominations
46 shall reflect the range of interests represented on the
47 area boards so that the governor is able to appoint one
48 or more members each for early care, education, health,
49 human services, business, faith, and public interests.
50 At least one of the citizen members shall be a service

1 consumer or the parent of a service consumer. The term
2 of office of the citizen members is three years. A
3 citizen member vacancy on the board shall be filled in
4 the same manner as the original appointment for the
5 balance of the unexpired term.

6 3. Citizen members shall be reimbursed for actual
7 and necessary expenses incurred in performance of their
8 duties. Citizen members shall be paid a per diem as
9 specified in section 7E.6.

10 4. In addition to the voting members, the state
11 board shall include four members of the general
12 assembly with not more than one member from each
13 chamber being from the same political party. The two
14 senators shall be appointed one each by the majority
15 leader of the senate and by the minority leader of the
16 senate. The two representatives shall be appointed one
17 each by the speaker of the house of representatives and
18 by the minority leader of the house of representatives.
19 Legislative members shall serve in an ex officio,
20 nonvoting capacity. A legislative member is eligible
21 for per diem and expenses as provided in section 2.10.

22 5. The state board shall elect a chairperson from
23 among the citizen members and may select other officers
24 from the voting members as determined to be necessary
25 by the board. The board shall meet regularly as
26 determined by the board, upon the call of the board's
27 chairperson, or upon the call of a majority of voting
28 members. The board shall meet at least quarterly.

29 Sec. _____. NEW SECTION. 256I.4 Early childhood Iowa
30 state board duties.

31 The state board shall perform the following duties:

32 1. Provide oversight of early childhood Iowa areas.

33 2. Manage and coordinate the provision of grant
34 funding and other moneys made available to early
35 childhood Iowa areas by combining all or portions of
36 appropriations or other revenues as authorized by law.

37 3. Approve the geographic boundaries for the early
38 childhood Iowa areas throughout the state and approve
39 any proposed changes in the boundaries.

40 4. Create a strategic plan that supports a
41 comprehensive system of early care, education, health,
42 and human services. The strategic plan shall be
43 developed with extensive community involvement.
44 The strategic plan shall be annually updated and
45 disseminated to the public. Specific items to be
46 addressed in the strategic plan shall include but are
47 not limited to all of the following:

48 a. Provisions to strengthen the state structure
49 including interagency levels of collaboration,
50 coordination, and integration.

1 b. Provisions for building public-private
2 partnerships.

3 c. Provisions to support consolidating, blending,
4 and redistributing state-administered funding streams
5 and the coordination of federal funding streams. The
6 strategic plan shall also address integration of
7 services provided through area boards, other state and
8 local commissions, committees, and other bodies with
9 overlapping and similar purposes which contribute to
10 redundancy and fragmentation in early care, education,
11 health, and human services programs provided to the
12 public.

13 d. Provisions for improving the efficiency of
14 working with federally mandated bodies.

15 e. Identification of indicators that measure
16 the success of the various strategies that impact
17 communities, families, and children. The indicators
18 shall be developed with input from area boards.

19 5. Adopt common performance measures and data for
20 services, programs, and activities provided by area
21 boards. Data from common performance measures shall be
22 included in the state board's annual report.

23 6. Assist with the linkage of child welfare and
24 juvenile justice decategorization projects with early
25 childhood Iowa areas.

26 7. Coordinate and respond to requests from an area
27 board relating to any of the following:

28 a. Waiver of existing rules, federal regulation, or
29 amendment of state law, or removal of other barriers.

30 b. Pooling and redirecting of existing federal,
31 state, or other public or private funds.

32 c. Seeking of federal waivers.

33 d. Consolidating community-level committees,
34 planning groups, and other bodies with common
35 memberships formed in response to state requirements.

36 8. Develop and implement a levels of excellence
37 rating system for use with the state board's
38 designation process for area boards. Allow for
39 flexibility and creativity of area boards in
40 implementing area board responsibilities and
41 provide authority for the area boards to support
42 the communities in the areas served. The levels
43 of excellence rating system shall utilize a tiered
44 approach for recognizing the performance of an area
45 board. The system shall provide for action to address
46 poor performing areas as well as higher performing
47 areas. If an area board achieves the highest rating
48 level, the state board shall allow special flexibility
49 provisions in regard to the funding appropriated or
50 allocated for that area board. The state board may

1 determine how often area boards are reviewed under the
2 system.

3 9. Adopt rules pursuant to chapter 17A as necessary
4 for the designation, governance, and oversight of area
5 boards and the administration of this chapter. The
6 state board shall provide for area board input in the
7 rules adoption process.

8 10. Develop guidelines for recommended insurance
9 or other liability coverage and take other actions to
10 assist area boards in acquiring such coverage at a
11 reasonable cost. Moneys expended by an area board to
12 acquire necessary insurance or other liability coverage
13 shall be considered an administrative cost.

14 11. In January each year, submit an annual report
15 to the governor and general assembly that includes but
16 is not limited to all of the following:

17 a. Any updates to the strategic plan.

18 b. The status and results of the early childhood
19 Iowa initiative efforts to engage the public regarding
20 the early care, education, health, human services, and
21 other needs of children zero through age five.

22 c. The status and results of the efforts to develop
23 and promote private sector involvement with the early
24 care system.

25 d. The status of the early childhood Iowa
26 initiative and the overall early care system in
27 achieving the set of desired results.

28 e. The data and common performance measures
29 addressed by the strategic plan, which shall include
30 but is not limited to funding amounts.

31 f. The indicators addressed by the strategic plan
32 along with associated data trends and their source.

33 12. Integrate statewide quality standards and
34 results indicators adopted by other boards and
35 commissions into the state board's funding requirements
36 for investments in early care, health, education, and
37 human services.

38 13. Ensure alignment of other state departments'
39 activities with the strategic plan.

40 14. Develop and keep current memoranda of
41 agreements between the state agencies represented
42 on the state board to promote system development
43 and integration and to clarify the roles and
44 responsibilities of partner agencies.

45 15. Work with the early childhood coordination
46 center in building public-private partnerships for
47 promoting the collaborative early care, education,
48 health, and human services system.

49 16. Support and align the early childhood Iowa
50 internet site with other agencies and improve internet

1 communication.

2 17. Adopt rules to implement this chapter. The
3 rules shall include but are not limited to the
4 following:

5 a. Indicators of the effectiveness of early
6 childhood Iowa areas, area boards, and the services
7 provided under the auspices of the area boards. The
8 indicators shall be developed with input from area
9 boards and shall build upon the core indicators of
10 effectiveness for the school ready children grant
11 program.

12 b. Minimum standards to further the provision of
13 equal access to services subject to the authority of
14 area boards.

15 c. Core functions for family support services,
16 parent education programs, preschool services provided
17 under a school ready children grant, and other programs
18 and services provided under this chapter. The state
19 board shall also develop guidelines and standards for
20 state-supported family support programs, based upon
21 existing guidelines and standards for the services.

22 18. Address other measures to advance the
23 initiative. The measures may include any of the
24 following:

25 a. Advance the development of integrated data
26 systems.

27 b. Expand efforts to improve quality and utilize
28 evidence-based practices.

29 c. Further develop kindergarten assessment
30 approaches that are tied to state early learning
31 standards.

32 Sec. _____. NEW SECTION. 256I.5 Early childhood
33 coordination center.

34 1. The department shall provide administrative
35 support for implementation of the early childhood Iowa
36 initiative and for the state board.

37 2. a. The early childhood coordination center
38 is established as a work unit of the department to
39 provide a center for facilitation, communication, and
40 coordination for early childhood Iowa activities and
41 funding and for improvement of the individual early
42 care, education, health, and human services systems and
43 the comprehensive system.

44 b. Staffing for the center shall be provided
45 by a project director, a deputy, a family support
46 coordinator, and a first years first coordinator.
47 Dedicated fiscal staff and support staff may be
48 designated, subject to an appropriation made for this
49 purpose. The project director shall be appointed by
50 the governor, subject to confirmation by the senate,

1 and shall serve at the pleasure of the governor.
2 The center shall submit reports to the governor,
3 state board, and the general assembly. The project
4 director shall provide primary staffing to the board,
5 coordinate state technical assistance activities and
6 implementation of the technical assistance system, and
7 oversee other communication and coordination functions.

8 3. The state agencies represented on the state
9 board may designate additional staff, as part of
10 the early childhood Iowa initiative, to work as
11 a technical assistance team with the center in
12 providing coordination and other support to the state's
13 comprehensive early care, education, health, and human
14 services system.

15 4. The center shall work with the state and area
16 boards to provide leadership for comprehensive system
17 development. The center shall also do all of the
18 following:

19 a. Enter into memoranda of agreement with the
20 departments of economic development, education, human
21 rights, human services, public health, and workforce
22 development to formalize the respective departments'
23 commitments to collaborating with and integrating a
24 comprehensive early care, education, health, and human
25 services system. Items addressed in the memoranda
26 shall include but are not limited to data sharing and
27 providing staffing to the technical assistance team.

28 b. Work with private businesses, foundations, and
29 nonprofit organizations to develop sustained funding.

30 c. Maintain the internet site in accordance with
31 section 256I.10.

32 d. Propose any needed revisions to administrative
33 rules based on stakeholder input.

34 e. Provide technical support to the state and area
35 boards and to the early childhood Iowa areas through
36 staffing services made available through the state
37 agencies that serve on the state board.

38 f. Develop, collect, disseminate, and provide
39 guidance for common performance measures for the
40 programs receiving funding under the auspices of the
41 area boards.

42 g. If a disagreement arises within an early
43 childhood Iowa area regarding the interests represented
44 on the area's board, board decisions, or other disputes
45 that cannot be locally resolved, upon request, provide
46 state or regional technical assistance as deemed
47 appropriate by the center to assist the area in
48 resolving the disagreement.

49 Sec. _____. NEW SECTION. 256I.6 Early childhood Iowa
50 areas.

1 1. The purpose of an early childhood Iowa area is
2 to enable local citizens to lead collaborative efforts
3 involving early care, education, health, and human
4 services on behalf of the children, families, and other
5 citizens residing in the area. Leadership functions
6 may include but are not limited to strategic planning
7 for and oversight and managing of such programs and
8 the funding made available to the early childhood Iowa
9 area for such programs from federal, state, local,
10 and private sources. The focus of the area shall be
11 to achieve the desired results and to improve other
12 results for families with young children.

13 2. An early childhood Iowa area shall be designated
14 by using existing county boundaries to the extent
15 possible.

16 3. The designation of an early childhood Iowa
17 area boundaries and the creation of an area board
18 are both subject to the approval of the state board.
19 The state board shall determine if a proposed area
20 board can efficiently and effectively administer
21 the responsibilities and authority of the area to be
22 served. The state board may apply additional criteria
23 for designating areas and approving area boards, but
24 shall apply all of the following minimum criteria:

25 a. An area cannot encompass more than four
26 counties.

27 b. The counties encompassing a multicounty area
28 must have contiguous borders.

29 c. A single county area shall have a minimum
30 population of children zero through age five in excess
31 of five thousand, based on the most recent population
32 estimates issued by the United States bureau of the
33 census.

34 4. If the state board determines exceptional
35 circumstances exist, the state board may waive any of
36 the criteria otherwise specified in subsection 3.

37 Sec. _____. NEW SECTION. 256I.7 Early childhood Iowa
38 area boards created.

39 1. a. The early childhood Iowa functions for
40 an area shall be performed under the authority of an
41 early childhood Iowa area board. A majority of the
42 members of an area board shall be elected officials
43 or members of the public who are not employed by a
44 provider of services to or for the area board. In
45 addition, the membership of an area board shall include
46 representation from early care, education, health,
47 human services, business, and faith interests, and at
48 least one parent, grandparent, or guardian of a child
49 from zero through age five. The education, health, and
50 human services agencies represented on an area board

1 may receive funding from the area board.

2 b. Terms of office of area board members shall
3 be not more than three years and the terms shall be
4 staggered.

5 2. An area board may designate an advisory council
6 consisting of persons employed by or otherwise paid to
7 represent an entity listed in subsection 1 or other
8 provider of service. However, the deliberations of and
9 documents considered by such an advisory council shall
10 be public.

11 3. An area board shall elect a chairperson
12 from among the members who are citizens or elected
13 officials.

14 4. An area board is a unit of local government for
15 purposes of chapter 670, relating to tort liability
16 of governmental subdivisions. For purposes of
17 implementing a formal organizational structure, an area
18 board may utilize recommended guidelines and bylaws
19 established for this purpose by the state board.

20 5. All meetings of an area board or any committee
21 or other body established by an area board at which
22 public business is discussed or formal action taken
23 shall comply with the requirements of chapter 21. An
24 area board shall maintain its records in accordance
25 with chapter 22.

26 Sec. _____. NEW SECTION. 256I.8 Early childhood Iowa
27 area board duties.

28 1. An early childhood Iowa area board shall do all
29 of the following:

30 a. Designate a fiscal agent for grant moneys or
31 for other moneys administered by the area board. The
32 fiscal agent shall meet the qualifications developed
33 by the state board.

34 b. Administer early childhood Iowa grant moneys
35 available from the state to the area board as provided
36 by law and other federal, state, local, and private
37 moneys made available to the area board. Eligibility
38 for receipt of early childhood Iowa grant moneys shall
39 be limited to those early childhood area boards that
40 have developed an approved community plan in accordance
41 with this chapter. An early childhood area board
42 may apply to the state board for any private moneys
43 received by the early childhood Iowa initiative outside
44 of a state appropriation.

45 c. Develop a comprehensive community plan for
46 providing services for children from zero through
47 age five. At a minimum, the plan shall do all of the
48 following:

49 (1) Describe community and area needs for children
50 from zero through age five as identified through

1 ongoing assessments.

2 (2) Describe the current and desired levels of
3 community and area coordination of services for
4 children from zero through age five, including the
5 involvement and specific responsibilities of all
6 related organizations and entities.

7 (3) Identify all federal, state, local, and private
8 funding sources including funding estimates available
9 in the early childhood Iowa area that will be used
10 to provide services to children from zero through age
11 five.

12 (4) Describe how funding sources will be used
13 collaboratively and the degree to which the sources
14 can be combined to provide necessary services to young
15 children and their families.

16 (5) Identify the desired results and the
17 community-wide indicators the area board
18 expects to address through implementation of the
19 comprehensive community plan. The plan shall identify
20 community-specific, quantifiable performance measures
21 to be reported in the area board's annual report and
22 integration with the strategic plan adopted by the
23 state board.

24 (6) Describe the current status of support services
25 to prevent the spread of infectious diseases, prevent
26 child injuries, develop health emergency protocols,
27 help with medication, and care for children with
28 special health needs that are being provided to child
29 care facilities registered or licensed under chapter
30 237A within the early childhood Iowa area.

31 d. Submit an annual report on the effectiveness of
32 the community plan in addressing school readiness and
33 children's health and safety needs to the state board
34 and to the local government bodies in the area. The
35 annual report shall indicate the effectiveness of the
36 area board in addressing state and locally determined
37 goals.

38 e. Function as a coordinating body for services
39 offered by different entities directed to similar
40 purposes within the area.

41 f. Assume other responsibilities established by law
42 or administrative rule.

43 g. Cooperate with the state board, department
44 of education, and school districts and other local
45 education agencies in securing unique student
46 identifiers, in compliance with all applicable federal
47 and state confidentiality provisions.

48 2. An area board may do any of the following:

49 a. Designate one or more committees to assist with
50 area board functions.

1 b. Utilize community bodies for input to the area
2 board and implementation of services.

3 Sec. _____. NEW SECTION. 256I.9 School ready
4 children grant program.

5 1. The state board shall develop and promote a
6 school ready children grant program which shall provide
7 for all of the following components:

8 a. Identify the performance measures that will
9 be used to assess the effectiveness of the school
10 ready children grants, including the amount of early
11 intellectual stimulation of very young children, the
12 basic skill levels of students entering school, the
13 health status of children, the incidence of child
14 abuse and neglect, the level of involvement by parents
15 with their children, and the degree of quality of an
16 accessibility to child care.

17 b. Identify guidelines and a process to be used for
18 determining the readiness of an early childhood Iowa
19 area board for administering a school ready children
20 grant.

21 c. Provide for technical assistance concerning
22 funding sources, program design, and other pertinent
23 areas.

24 2. The state board shall provide maximum
25 flexibility to grantees for the use of the grant moneys
26 included in a school ready children grant.

27 3. A school ready children grant shall, to the
28 extent possible, be used to support programs that meet
29 quality standards identified by the state board. At a
30 minimum, a grant shall be used to provide all of the
31 following:

32 a. Preschool services provided on a voluntary basis
33 to children deemed at risk.

34 b. Family support services and parent education
35 programs promoted to parents of children from zero
36 through age five. Family support services shall
37 include but are not limited to home visitation.

38 c. Other services to support the strategic plan
39 developed by the state board.

40 d. Services to improve the quality and availability
41 of all types of child care. The services may include
42 but are not limited to making nurse consultants
43 available to support quality improvement.

44 4. a. A school ready children grant shall be
45 awarded to an area board annually, as funding is
46 available. Receipt of continued funding is subject
47 to submission of the required annual report and the
48 state board's determination that the area board is
49 measuring, through the use of performance measures
50 and community-wide indicators developed by the state

1 board with input from area boards, progress toward and
2 is achieving the desired results and other results
3 identified in the community plan. Each area board
4 shall participate in the levels of excellence rating
5 system to measure the area's success. If the use of
6 performance measures and community-wide indicators does
7 not show that an area board has made progress toward
8 achieving the results identified in the community
9 plan, the state board may request a plan of corrective
10 action, withhold any increase in funding, or withdraw
11 grant funding.

12 b. The state board shall distribute school
13 ready children grant moneys to area boards with
14 approved comprehensive community plans based upon
15 a determination of an early childhood Iowa area's
16 readiness to effectively utilize the grant moneys.
17 The grant moneys shall be adjusted for other federal
18 and state grant moneys to be received by the area for
19 services to children from zero through age five.

20 c. An area board's readiness shall be determined
21 by evidence of successful collaboration among public
22 and private early care, education, health, and
23 human services interests in the area or a documented
24 program design that supports a strong likelihood of
25 a successful collaboration between these interests.
26 Other criteria which may be used by the state board
27 to determine readiness and evaluate the funding
28 flexibility for an area include one or more of the
29 following:

30 (1) The levels of excellence rating received by the
31 area.

32 (2) Experience or other evidence of the area's
33 capacity to successfully implement the services in the
34 area's community plan.

35 (3) Local public and private funding and other
36 resources committed to implementation of the community
37 plan.

38 (4) The adequacy of plans for commitment of local
39 funding and other resources for implementation of the
40 community plan.

41 d. The provisions for distribution of school ready
42 children grant moneys shall be determined by the state
43 board.

44 e. The amount of school ready children grant
45 funding an area board may carry forward from one fiscal
46 year to the succeeding fiscal year shall not exceed
47 twenty percent of the grant amount for the fiscal year.
48 All of the school ready children grant funds received
49 by an area board for a fiscal year which remain
50 unencumbered or unobligated at the close of a fiscal

1 year shall be carried forward to the succeeding fiscal year. However, the grant amount for the succeeding fiscal year shall be reduced by the amount in excess of twenty percent of the grant amount received for the fiscal year.

6 Sec. _____. NEW SECTION. 256I.10 Early childhood
7 Iowa internet site.

8 1. The department shall provide for the operation
9 of an internet site for purposes of widely distributing
10 information regarding early care, education, health,
11 and human services and other information provided
12 by the departments represented on the state board
13 and the public and private agencies addressing the
14 comprehensive system for such services.

15 2. Information provided on the internet site shall
16 include but is not limited to all of the following:

17 a. Information about the early childhood Iowa
18 initiative for state and local use.

19 b. A link to a special internet site directed to
20 parents, including parent-specific information on early
21 care, education, health, and human services and links
22 to other resources available on the internet and from
23 other sources.

24 c. Program standards for early care, education,
25 health, and human services that have been approved by
26 state agencies.

27 3. The department shall provide to the state board
28 information regarding the extent and frequency of usage
29 of the internet site or sites and this information
30 shall be included in the board's annual report to the
31 governor and general assembly.

32 Sec. _____. NEW SECTION. 256I.11 Early childhood
33 Iowa fund.

34 1. An early childhood Iowa fund is created in
35 the state treasury. The moneys credited to the
36 fund are not subject to section 8.33 and moneys in
37 the fund shall not be transferred, used, obligated,
38 appropriated, or otherwise encumbered except as
39 provided by law. Notwithstanding section 12C.7,
40 subsection 2, interest or earnings on moneys deposited
41 in the fund shall be credited to the fund.

42 2. A school ready children grants account is
43 created in the fund under the authority of the director
44 of the department of education. Moneys credited to
45 the account shall be distributed by the department
46 in the form of grants to early childhood Iowa areas
47 pursuant to criteria established by the state board in
48 accordance with law.

49 3. Unless a different amount is authorized by law,
50 up to five percent of the school ready children grant

1 moneys distributed to an area board may be used by the
2 area board for administrative costs.

3 4. a. An early childhood programs grants account
4 is created in the fund under the authority of the
5 director of the department of management. Moneys
6 credited to the account under the auspices of the
7 department of human services are appropriated to and
8 shall be distributed by the department of management
9 in the form of grants to early childhood Iowa areas
10 pursuant to criteria established by the state board
11 in accordance with law. The criteria shall include
12 but are not limited to a requirement that an early
13 childhood Iowa area must be designated by the state
14 board in order to be eligible to receive an early
15 childhood programs grant.

16 b. The maximum funding amount an early childhood
17 Iowa area is eligible to receive from the early
18 childhood programs grant account for a fiscal year
19 shall be determined by applying the area's percentage
20 of the state's average monthly family investment
21 program population in the preceding fiscal year to the
22 total amount credited to the account for the fiscal
23 year.

24 c. An early childhood Iowa area receiving funding
25 from the early childhood programs grant account
26 shall comply with any federal reporting requirements
27 associated with the use of that funding and other
28 results and reporting requirements established by the
29 state board. The early childhood coordination center
30 shall provide technical assistance in identifying and
31 meeting the federal requirements. The availability of
32 funding provided from the account is subject to changes
33 in federal requirements and amendments to Iowa law.

34 d. The moneys distributed from the early childhood
35 programs grant account shall be used by early childhood
36 Iowa areas for the purposes of enhancing quality child
37 care capacity in support of parent capability to obtain
38 or retain employment. The moneys shall be used with a
39 primary emphasis on low-income families and children
40 from zero to age five. Moneys shall be provided
41 in a flexible manner and shall be used to implement
42 strategies identified by the early childhood Iowa area
43 to achieve such purposes. The department of management
44 may use a portion of the funding appropriated to the
45 department under this subsection for provision of
46 technical assistance and other support to the early
47 childhood Iowa areas developing and implementing
48 strategies with grant moneys distributed from the
49 account.

50 e. Moneys from a federal block grant that are

1 credited to the early childhood programs grant account
2 but are not distributed to an early childhood Iowa area
3 or otherwise remain unobligated or unexpended at the
4 end of the fiscal year shall revert to the fund created
5 in section 8.41 to be available for appropriation by
6 the general assembly in a subsequent fiscal year.

7 5. A first years first account is created in
8 the fund under the authority of the department of
9 management. The account shall consist of gift or grant
10 moneys obtained from any source, including but not
11 limited to the federal government. Moneys credited to
12 the account are appropriated to the department to be
13 used for the early childhood-related purposes for which
14 the moneys were received.

15 Sec. _____. Section 135.106, subsection 3, Code 2009,
16 is amended to read as follows:

17 3. It is the intent of the general assembly to
18 provide communities with the discretion and authority
19 to redesign existing local programs and services
20 targeted at and assisting families expecting babies
21 and families with children who are newborn through
22 five years of age. The Iowa department of public
23 health, department of human services, department of
24 education, and other state agencies and programs, as
25 appropriate, shall provide technical assistance and
26 support to communities desiring to redesign their
27 local programs and shall facilitate the consolidation
28 of existing state funding appropriated and made
29 available to the community for family support services.
30 Funds which are consolidated in accordance with this
31 subsection shall be used to support the redesigned
32 service delivery system. In redesigning services,
33 communities are encouraged to implement a single
34 uniform family risk assessment mechanism and shall
35 demonstrate the potential for improved outcomes for
36 children and families. Requests by local communities
37 for the redesigning of services shall be submitted to
38 the Iowa department of public health, department of
39 human services, and department of education, and are
40 subject to the approval of the early childhood Iowa
41 ~~empowerment state~~ board in consultation with the
42 departments, based on the practices utilized with
43 ~~community empowerment~~ early childhood Iowa areas under
44 chapter ~~28~~ 256I.

45 Sec. _____. Section 135.119, subsection 2, paragraph
46 d, Code Supplement 2009, is amended to read as follows:

47 d. The program plan shall incorporate a multiyear,
48 collaborative approach for implementation of the
49 plan. The plan shall address how to involve those who
50 regularly work with parents and persons responsible for

1 the care of a child, including but not limited to child
2 abuse prevention programs, child care resource and
3 referral programs, child care providers, family support
4 programs, programs receiving funding through the
5 ~~community empowerment~~ early childhood Iowa initiative,
6 public and private schools, health care providers,
7 local health departments, birth centers, and birthing
8 hospitals.

9 Sec. _____. Section 135.159, subsection 3, paragraph
10 i, Code Supplement 2009, is amended to read as follows:

11 i. For children, coordinate with and integrate
12 guidelines, data, and information from existing newborn
13 and child health programs and entities, including but
14 not limited to the healthy opportunities for parents
15 to experience success - healthy families Iowa program,
16 the ~~community empowerment program~~ early childhood Iowa
17 initiative, the center for congenital and inherited
18 disorders screening and health care programs, standards
19 of care for pediatric health guidelines, the office of
20 multicultural health established in section 135.12, the
21 oral health bureau established in section 135.15, and
22 other similar programs and services.

23 Sec. _____. Section 135.173, Code 2009, is amended to
24 read as follows:

25 135.173 ~~Early childhood Iowa council~~ stakeholders
26 alliance.

27 1. ~~Council~~ Alliance created. An early childhood
28 ~~Iowa council stakeholders alliance~~ is created as an
29 ~~alliance of stakeholders in to address the~~ early care,
30 health, and education systems that affect children ages
31 zero through five in Iowa.

32 2. Purpose. The purpose of the early childhood
33 ~~Iowa council stakeholders alliance~~ is to oversee and
34 provide broad input into the development of an a high
35 quality Iowa early childhood system by integrating
36 ~~the early care, health, and education systems~~
37 ~~addressing that meets the needs of children ages~~
38 zero through five and their families and integrates
39 the early care, health, and education systems. The
40 ~~council alliance~~ shall advise the governor, general
41 assembly, and public and private policy bodies and
42 service providers in coordinating activities throughout
43 the state to fulfill its purpose.

44 3. Vision statement. All system development
45 activities addressed by the early childhood ~~Iowa~~
46 ~~council stakeholders alliance~~ shall be aligned around
47 the following vision statement for the children of
48 Iowa: "Every child, beginning at birth, will be
49 healthy and successful."

50 4. Membership. The early childhood ~~Iowa~~

1 ~~council~~ stakeholders alliance membership shall
2 include a representative of any organization that
3 touches the lives of young children in the state
4 ages zero through five, has endorsed the purpose
5 and vision statement for the ~~council~~ alliance,
6 has endorsed the guiding principles adopted by the
7 ~~council~~ alliance for the early childhood system,
8 and has formally asked to be a member and remains
9 actively engaged in ~~council~~ alliance activities.
10 The ~~council~~ alliance shall work to ensure there is
11 geographic, cultural, and ethnic diversity among the
12 membership.

13 5. Procedure. Except as otherwise provided by
14 law, the early childhood ~~Iowa council~~ stakeholders
15 alliance shall determine its own rules of procedure and
16 operating provisions.

17 6. Steering committee. The early childhood
18 ~~Iowa council~~ stakeholders alliance shall operate
19 with a steering committee to organize, manage, and
20 coordinate the activities of the ~~council~~ alliance and
21 its component groups. The steering committee may act
22 on behalf of the ~~council~~ alliance as necessary. The
23 steering committee membership shall consist of the
24 co-chairpersons of the ~~council's~~ alliance's component
25 groups, ~~the chairperson of the state agency liaison~~
26 ~~team, the community empowerment facilitator or the~~
27 ~~facilitator's designee, the primary staff person~~
28 ~~for the early childhood Iowa state board created~~
29 ~~in chapter 256I, a staff member of the early~~
30 ~~childhood coordination center of the department~~
31 ~~of management, and other leaders designated by the~~
32 ~~council~~ alliance.

33 7. Component groups. The early childhood ~~Iowa~~
34 ~~council~~ stakeholders alliance shall maintain component
35 groups to address the key components of the Iowa early
36 childhood system. Each component group shall have one
37 private and one public agency co-chairperson. The
38 ~~council~~ alliance may change the component groups as
39 deemed necessary by the ~~advisory council~~ alliance.
40 Initially, there shall be a component group for each
41 of the following:

- 42 a. Governance planning and administration.
- 43 b. Professional development.
- 44 c. Public engagement.
- 45 d. Quality services and programs.
- 46 e. Resources and funding.
- 47 f. Results accountability.

48 8. State agency liaison team. A state agency
49 liaison team shall provide input into the efforts of
50 the early childhood ~~Iowa council~~ stakeholders alliance.

1 In addition to designees of the governor, the team
2 shall consist of the directors or chief administrators,
3 or their designees, from the following state agencies
4 and programs:

- 5 a. Child health specialty clinics.
- 6 b. ~~Office of community empowerment in the~~
7 ~~department of management~~ Early childhood Iowa state
8 board staff.
- 9 c. Department of education.
- 10 d. Department of education, office of head start
11 collaboration.
- 12 e. Division of libraries and information services
13 of the department of education.
- 14 ~~e.~~ f. Office of the governor.
- 15 ~~f.~~ g. Department of human rights.
- 16 ~~g.~~ h. Department of human services.
- 17 ~~h.~~ i. Postsecondary education institutions,
18 including but not limited to institutions of higher
19 learning under the control of the state board of
20 regents and Iowa community colleges.
- 21 j. Department of management.
- 22 ~~i.~~ k. Department of public health.
- 23 l. Department of workforce development.

24 9. Duties. ~~In addition to the advisory function~~
25 ~~specified in subsection 2, the~~ The early childhood Iowa
26 ~~council's~~ stakeholders alliance duties shall include
27 but are not limited to all of the following regarding
28 the Iowa early childhood system:

29 a. Coordinate with the early childhood Iowa state
30 board concerning the development and implementation of
31 a the strategic plan required under chapter 256I. The
32 coordination and development activities shall emphasize
33 strengthening the early childhood system components
34 enumerated in this section.

35 b. Serve as the state advisory council required
36 under the federal Improving Head Start for School
37 Readiness Act of 2007, Pub. L. No. 110-134, if
38 designated by the governor.

39 c. Work to secure necessary funding support for
40 strengthening the design and implementation of a
41 high quality early childhood system. The support may
42 include but is not limited to federal funding available
43 for planning under early childhood comprehensive
44 service system grants by the federal maternal and child
45 health bureau and federal early learning challenge
46 grants.

47 d. Assist in the development of responsibilities
48 across agencies and other entities to achieve strategie
49 goals between the state board and area boards for the
50 early childhood Iowa initiative under chapter 256I to

1 develop and maintain a high quality early childhood
2 system in the state.

3 ~~e- e.~~ Work with the early childhood Iowa
4 ~~empowerment board state board~~ in developing
5 public-private partnerships to support the early
6 childhood system through the first years first account
7 in the early childhood Iowa empowerment fund and other
8 efforts for expanding investment of private funding
9 in the early childhood system. ~~As this and similar~~
10 ~~efforts to expand and coordinate investments from all~~
11 ~~public and private sources evolve and mature, make~~
12 ~~recommendations for designation of or contracting~~
13 ~~with a private nonprofit organization to serve as a~~
14 ~~fiscal agent for the early childhood system or another~~
15 ~~approach for increasing public and private investment~~
16 ~~in the system.~~

17 ~~d- f.~~ Report annually by December 31 to the
18 governor and general assembly. The report content
19 shall include but is not limited to all of the
20 following:

21 (1) The status and results of the
22 ~~council's~~ alliance's efforts to engage the public
23 regarding the early care, health, and education needs
24 of children ages zero through five and the efforts to
25 develop and promote private sector involvement with the
26 early childhood system.

27 (2) The status of the ~~community empowerment~~ early
28 childhood Iowa initiative and the overall early
29 childhood system in achieving the following initial set
30 of desired results identified in ~~section 28.2~~ chapter
31 256I:

- 32 (a) Healthy children.
33 (b) Children ready to succeed in school.
34 (c) Safe and supportive communities.
35 (d) Secure and nurturing families.
36 (e) Secure and nurturing early care and education
37 environments.

38 10. Staff support for the early childhood
39 stakeholders alliance shall be provided by the
40 department of public health.

41 Sec. ____. Section 135.174, subsection 1, Code 2009,
42 is amended to read as follows:

43 1. The lead agency for support of the early
44 childhood ~~Iowa council~~ stakeholders alliance for state
45 agency efforts to develop an early childhood system for
46 Iowa shall be the department of public health.

47 Sec. ____. Section 135.174, subsection 2, unnumbered
48 paragraph 1, Code 2009, is amended to read as follows:

49 The department shall work with the early childhood
50 ~~Iowa council~~ stakeholders alliance in integrating early

1 care, health, and education systems to develop an early
2 childhood system for Iowa. The department shall do all
3 of the following in developing the system:

4 Sec. _____. Section 142A.4, subsection 8, Code
5 Supplement 2009, is amended to read as follows:

6 8. Assist with the linkage of the initiative with
7 child welfare and juvenile justice decategorization
8 projects, education programming, ~~community~~
9 ~~empowerment~~ early childhood Iowa areas, and other
10 programs and services directed to youth at the state
11 and community level.

12 Sec. _____. Section 142A.8, subsection 2, Code 2009,
13 is amended to read as follows:

14 2. A community partnership area shall encompass
15 a county or multicounty area, school district or
16 multischool district area, economic development
17 enterprise zone that meets the requirements of an urban
18 or rural enterprise community under ~~Title~~ Tit. XIII of
19 the federal Omnibus Budget Reconciliation Act of 1993,
20 or ~~community empowerment~~ early childhood Iowa area, in
21 accordance with criteria adopted by the commission for
22 appropriate population levels and size of geographic
23 areas.

24 Sec. _____. Section 216A.140, subsection 5, paragraph
25 j, Code Supplement 2009, is amended to read as follows:

26 j. ~~Office of community empowerment~~ Early childhood
27 coordination center in the department of management.

28 Sec. _____. Section 217.42, subsection 1, Code 2009,
29 is amended to read as follows:

30 1. The organizational structure to deliver the
31 department's field services shall be based upon service
32 areas. The service areas shall serve as a basis for
33 providing field services to persons residing in the
34 counties comprising the service area. The service
35 areas shall be those designated by the department
36 effective January 1, 2002. In determining the
37 service areas, the department shall consider other
38 geographic service areas including but not limited to
39 judicial districts and ~~community empowerment~~ early
40 childhood Iowa areas. The department shall consult
41 with the county boards of supervisors in a service
42 area with respect to the selection of the service
43 area manager responsible for the service area who is
44 initially selected for the service area designated
45 effective January 1, 2002, and any service area manager
46 selected for the service area thereafter. Following
47 establishment of the service areas effective January
48 1, 2002, if a county seeks to change the boundaries
49 of a service area, the change shall only take place
50 if the change is mutually agreeable to the department

1 and all affected counties. If it is necessary for the
2 department to significantly modify its field operations
3 or the composition of a designated service area, or
4 if it is necessary for the department to change the
5 number of offices operating less than full-time, the
6 department shall consult with the affected counties
7 prior to implementing such action.

8 Sec. _____. Section 232.188, subsection 4, paragraph
9 c, Code 2009, is amended to read as follows:

10 c. A decategorization governance board shall
11 coordinate the project's planning and budgeting
12 activities with the departmental service area manager
13 for the county or counties comprising the project area
14 and the ~~community empowerment~~ early childhood Iowa area
15 board or boards for the ~~community empowerment~~ early
16 childhood Iowa area or areas within which the
17 decategorization project is located.

18 Sec. _____. Section 237A.21, subsection 3, paragraph
19 n, Code Supplement 2009, is amended to read as follows:

20 n. One designee of the ~~community empowerment~~
21 office early childhood coordination center of the
22 department of management.

23 Sec. _____. Section 237A.21, subsection 3, paragraph
24 q, Code Supplement 2009, is amended to read as follows:

25 q. One person who represents the early childhood
26 Iowa ~~council~~ state board created in section
27 ~~135.173~~ 256I.3.

28 Sec. _____. Section 237A.22, subsection 1, paragraph
29 j, Code Supplement 2009, is amended to read as follows:

30 j. Advise and assist the early childhood Iowa
31 ~~council~~ state board in developing the strategic plan
32 required pursuant to section ~~135.173~~ 256I.4.

33 Sec. _____. Section 237A.26, subsection 8, Code 2009,
34 is amended to read as follows:

35 8. For purposes of improving the quality and
36 consistency of data collection, consultation, and other
37 support to child care home and child development home
38 providers, a resource and referral services agency
39 grantee shall coordinate and assist with publicly
40 and privately funded efforts administered at the
41 community level to provide the support. The support
42 and efforts addressed by a grantee may include but are
43 not limited to community-funded child care home and
44 child development home consultants. Community members
45 involved with the assistance may include but are not
46 limited to the efforts of a ~~community empowerment~~ an
47 early childhood Iowa area board under chapter ~~28~~ 256I,
48 and of community representatives of education, health,
49 human services, business, faith, and public interests.

50 Sec. _____. Section 237A.30, subsection 1, Code 2009,

1 is amended to read as follows:

2 1. The department shall work with the ~~community~~
3 ~~empowerment office of early childhood coordination~~
4 ~~center in the department of management established in~~
5 ~~section 28.3 256I.5~~ and the state child care advisory
6 council in designing and implementing a voluntary
7 quality rating system for each provider type of child
8 care facility.

9 Sec. _____. Section 256C.3, subsection 3, paragraph
10 e, Code 2009, is amended to read as follows:

11 e. Collaboration with participating families, early
12 care providers, and community partners including but
13 not limited to ~~community empowerment~~ early childhood
14 Iowa area boards, head start programs, shared visions
15 and other programs provided under the auspices of the
16 child development coordinating council, licensed child
17 care centers, registered child development homes,
18 area education agencies, child care resource and
19 referral services provided under section 237A.26, early
20 childhood special education programs, services funded
21 by ~~Title~~ Tit. I of the federal Elementary and Secondary
22 Education Act of 1965, and family support programs.

23 Sec. _____. Section 256C.3, subsection 4, paragraph
24 a, Code 2009, is amended to read as follows:

25 a. Methods of demonstrating community readiness
26 to implement high-quality instruction in a local
27 program shall be identified. The potential provider
28 shall submit a collaborative program proposal that
29 demonstrates the involvement of multiple community
30 stakeholders including but not limited to, and only as
31 applicable, parents, the school district, accredited
32 nonpublic schools and faith-based representatives, the
33 area education agency, the ~~community empowerment~~ early
34 childhood Iowa area board, representatives of business,
35 head start programs, shared visions and other programs
36 provided under the auspices of the child development
37 coordinating council, center-based and home-based
38 providers of child care services, human services,
39 public health, and economic development programs. The
40 methods may include but are not limited to a school
41 district providing evidence of a public hearing on
42 the proposed programming and written documentation of
43 collaboration agreements between the school district,
44 existing community providers, and other community
45 stakeholders addressing operational procedures and
46 other critical measures.

47 Sec. _____. Section 256C.4, subsection 2, paragraph
48 b, Code 2009, is amended to read as follows:

49 b. The enrollment count of eligible students shall
50 not include a child who is included in the enrollment

1 count determined under section 257.6 or a child who is
2 served by a program already receiving state or federal
3 funds for the purpose of the provision of four-year-old
4 preschool programming while the child is being served
5 by the program. Such preschool programming includes
6 but is not limited to child development assistance
7 programs provided under chapter 256A, special education
8 programs provided under section 256B.9, school ready
9 children grant programs and other programs provided
10 under chapter ~~28~~ 256I, and federal head start programs
11 and the services funded by ~~Title Tit.~~ Title I of the federal
12 Elementary and Secondary Education Act of 1965.

13 Sec. _____. Section 279.60, Code 2009, is amended to
14 read as follows:

15 279.60 Kindergarten assessment -- access to data --
16 reports.

17 Each school district shall administer the dynamic
18 indicators of basic early literacy skills kindergarten
19 benchmark assessment or other kindergarten benchmark
20 assessment adopted by the department of education
21 in consultation with the early childhood Iowa
22 empowerment state board to every kindergarten student
23 enrolled in the district not later than the date
24 specified in section 257.6, subsection 1. The school
25 district shall also collect information from each
26 parent, guardian, or legal custodian of a kindergarten
27 student enrolled in the district, including but not
28 limited to whether the student attended preschool,
29 factors identified by the ~~early care-staff childhood~~
30 coordination center pursuant to section ~~28.3~~ 256I.5,
31 and other demographic factors. Each school district
32 shall report the results of the assessment and the
33 preschool information collected to the department of
34 education in the manner prescribed by the department
35 not later than January 1 of that school year. The
36 ~~early care-staff designated pursuant to section~~
37 ~~28.3~~ early childhood coordination center in the
38 department of management shall have access to the raw
39 data. The department shall review the information
40 submitted pursuant to this section and shall submit
41 its findings and recommendations annually in a report
42 to the governor, the general assembly, the early
43 childhood Iowa empowerment state board, and the
44 ~~community-empowerment~~ early childhood Iowa area boards.

45 Sec. _____. Section 915.35, subsection 4, paragraph
46 b, Code Supplement 2009, is amended to read as follows:

47 b. A child protection assistance team may also
48 consult with or include juvenile court officers,
49 medical and mental health professionals, physicians
50 or other hospital-based health professionals,

1 court-appointed special advocates, guardians ad litem,
2 and members of a multidisciplinary team created by
3 the department of human services for child abuse
4 investigations. A child protection assistance team
5 may work cooperatively with the ~~local community~~
6 ~~empowerment~~ early childhood Iowa area board established
7 under ~~section 28.6~~ chapter 256I. The child protection
8 assistance team shall work with the department of human
9 services in accordance with section 232.71B, subsection
10 3, in developing the protocols for prioritizing the
11 actions taken in response to child abuse reports and
12 for law enforcement agencies working jointly with the
13 department at the local level in processes for child
14 abuse reports. The department of justice may provide
15 training and other assistance to support the activities
16 of a child protection assistance team.

17 Sec. _____. REPEALS. Chapter 28, Code and Code
18 Supplement 2009, is repealed.

19 Sec. _____. IMPLEMENTATION OF ACT. Section 25B.2,
20 subsection 3, shall not apply to this division of this
21 Act.

22 Sec. _____. TRANSITION.

23 1. The initial membership of the early childhood
24 Iowa state board shall be composed of the membership of
25 the Iowa empowerment board.

26 2. Effective on or after July 1, 2011, as
27 determined by the early childhood Iowa state board
28 created pursuant to this division of this Act, the
29 designations granted by the Iowa empowerment board to
30 community empowerment areas and community empowerment
31 area boards under chapter 28, Code 2009, are withdrawn.
32 However, subject to the approval of the early childhood
33 Iowa state board in accordance with the area board
34 designation criteria established by this division
35 of this Act, all or a portion of the membership of a
36 community empowerment area board may be redesignated to
37 serve as the membership of the initial early childhood
38 Iowa area board for the relevant early childhood Iowa
39 area to be served. Subject to rules to be adopted by
40 the state board addressing redesignation of community
41 empowerment areas as early childhood Iowa areas,
42 existing multicounty community empowerment area boards
43 may choose to be redefined as early childhood Iowa area
44 boards.

45 3. Until the early childhood Iowa state board
46 has adopted administrative rules to implement the
47 provisions of chapter 256I, as enacted by this division
48 of this Act, the department of management shall apply
49 the relevant rules adopted to implement the community
50 empowerment initiative under chapter 28, Code 2009.

H-8076

Page 25

1 The state board shall also adopt rules addressing
2 transition of contracts entered into by community
3 empowerment area boards that include provisions in
4 effect on or after July 1, 2012.>

5 2. By renumbering as necessary.

By T. OLSON of Linn MERTZ of Kossuth
JACOBY of Johnson SWAIM of Davis
REASONER of Union KELLEY of Black Hawk
COHOON of Des Moines PETERSEN of Polk
STECKMAN of Cerro Gordo

H-8076 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8077

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows: 1.
3 Page 40, after line 10 by inserting:
4 <Sec. _____. BOARD OF REGENTS -- PURCHASING
5 REQUIREMENTS. The board of regents, and institutions
6 under the control of the board of regents, shall, if
7 making purchases in excess of one hundred thousand
8 dollars, provide thirty days prior notice of the intent
9 of the board or institution to purchase or to issue a
10 request for proposals to purchase items in excess of
11 one hundred thousand dollars on an appropriate internet
12 site for that board or institution.>

By PETERSEN of Polk

H-8077 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8078

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 117, line 28, by striking <subsections> and
4 inserting <subsection>
5 2. Page 117, by striking lines 29 through 31.
6 3. Page 117, line 32, by striking <4.> and
7 inserting <3.>

By WATTS of Dallas

H-8078 FILED FEBRUARY 9, 2010

SENATE FILE 2088

H-8079

1 Amend Senate File 2088, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking page 214, line 11, through page 218,
4 line 8, and inserting:
5 <Sec. _____. Section 28.4, Code 2009, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 14. Create a state child care
8 advisory committee to advise and make recommendations
9 to the governor, general assembly, department of
10 human services, Iowa board, and other state agencies
11 concerning child care.>
12 2. Page 218, line 13, by striking <135.173A> and
13 inserting <28.4>
14 3. Page 219, line 20, by striking <135.173A> and
15 inserting <28.4>
16 4. By striking page 219, line 31, through page 220,
17 line 16.
18 5. By renumbering as necessary.

By HEATON of Henry

H-8079 FILED FEBRUARY 9, 2010